

**Policy name: Student Code of Conduct**

**Approved: 25th November 2016**

**Revision 1 approved 10th March 2017**

**Revision 2 approved**

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## **1. Context**

- 1.1 All undergraduate and postgraduate programmes offered by the Royal Irish Academy of Music, hereinafter referred to as RIAM or the Academy, are delivered by RIAM and validated by the Designated Awarding Body, Trinity College Dublin, the University of Dublin, hereinafter referred to as Trinity. The Academy is committed to ensuring that a suitable academic and musical environment in the Academy is maintained, which requires reasonable behaviour and consideration for others. This Code of Conduct is intended to assist students gain maximum benefit from their chosen course of study.

## **2. Purpose**

- 2.1 The purpose of the Student Code of Conduct is to outline the process for dealing with allegations of inappropriate student behaviour in a consistent and fair manner. Students are expected to behave considerately at all times as members of the Academy and local community and to respect the rights of other students, staff and members of the general public both on and off Academy premises.

## **3. Scope**

- 3.1 This Code applies to all RIAM students, that is, those programmes delivered by RIAM and validated by Trinity, and, those delivered by RIAM and certified by RIAM.
- 3.2 This Code applies also to students visiting the Academy.
- 3.3 This Code excludes the RIAM policy on Plagiarism, and the procedures for Absence, Illness, Extenuating Circumstance and Provisions for Disability.

## **4. Benefits**

- 4.1 This Code is intended to protect students from hindrance in the development of their personal, professional and employability skills during their studies at the Academy.
- 4.2 This Code provides staff with clear processes which outline how discipline may be applied to correct poor behaviour and prevent abuse and/ or the disruption of studies for other students.

## **5. Principles**

- 5.1 There will be occasions when students fail to meet the necessary standards of behaviour, and a framework is needed to provide appropriate support and guidance in such circumstances. It must be understood, however, that failure to observe the required standards of behaviour or to follow rules and regulations may result in disciplinary action which could lead to expulsion. It is also understood that there may be a range of issues, eg personal/financial etc, which impact on a student's conduct, hence students that are the subject of the disciplinary process

are invited at every stage to engage with the available student support services, as this may be able to resolve any issues that are contributing to their conduct. This is particularly relevant in the case of repeat offenders. Where disciplinary action is necessary, it is important that it should be applied fairly, consistently and with regard to all the circumstances of any particular case, bearing in mind the interests both of the Academy and of the student concerned. However, no formal disciplinary action will be taken against a student until the case has been investigated. At every stage of the procedure, the student will be advised of the nature of the complaint against him/her and where possible will be given all relevant evidence before any meetings that may be required. The student may then be invited to attend a formal disciplinary meeting, at which he/she will have the opportunity to state their case before any decision is made.

- 5.2 Students are expected to treat fellow students, staff and the public with courtesy and respect and to refrain from conduct liable to bring the Academy's reputation into disrepute.
- 5.3 Students must comply with all regulations pertaining to their academic programme.
- 5.4 Students must comply with the regulations for use of the Academy Library and other learning resource facilities.
- 5.5 All students shall refrain from alcohol use when on the Academy premises or when representing the Academy outside in the wider community.
- 5.6 All students shall refrain from the use of illicit drugs.
- 5.7 Students must comply with all regulations or directions from the Governors, Board of Studies, Course Committees, the Director, or any members of authorised staff.

## 6. Policy

### 6.1 Rights of Students

- 6.1.1 The provisions of this Code are without prejudice to the legal rights of students. In particular, regard shall be had for the need to ensure that students have the freedom within the law to comment upon matters of proper concern to them without incurring disciplinary action.
- 6.1.2 No sanction shall be imposed on a student of the Academy by or in the name of the Academy except in accordance with this Code, or the Undergraduate, Postgraduate and Research Student Regulations.
- 6.1.3 In the context of this Code, no person may be charged twice with the same offence in relation to the same incident.
- 6.1.4 At hearings of the Disciplinary Committee (see 6.5.2 below) from which disciplinary action could result, a student has the right to speak in his or her own defence and to call relevant witnesses including character witnesses. Persons reporting incidents may also call witnesses. Witnesses may be questioned by members of the Committee and students (via the Chair), as well as persons reporting incidents, who may submit questions to be put by the Chair. A student may also be accompanied by an appropriate staff or student representative of his or her choice at any hearing.
- 6.1.5 No Member of the Disciplinary Committee or the Board of Studies shall adjudicate in a case in which they are presenting a case or acting as a witness.

## 6.2 Enforcement and Related Duties

- 6.2.1 All staff members of the Academy are under an obligation to report those persons who infringe the Code of Conduct.
- 6.2.2 Members of staff shall have the right to demand and receive confirmation of a student's identity, with good cause, where they feel that a breach of the Code has or may have taken place.

## 6.3 Address

- 6.3.1 On Registration, each undergraduate and postgraduate student should notify the General Office of his or her email address, postal address and phone number, and term-time address in Dublin.
- 6.3.2 Immediate notification of any change of email address, phone number, home or Dublin address should be given to the General Office.

## 6.4 Conduct

- 6.4.1 Students and staff have the right to work, study and use the Academy's facilities without undue interference.
- 6.4.2 Any students who are found to be guilty of misconduct will be subject to disciplinary sanctions.
- 6.4.3 Misconduct generally is defined as improperly interfering with the work of the Academy (including the rights of those who work or study in it) or engaging in action which lowers the reputation of the Academy. Examples of specific disciplinary offences for the purpose of this Code include:
  - (i) Failure to comply with any of the requirements listed above in the Principles (section 5) of this Code.
  - (ii) Behaviour which brings the Academy into disrepute or which is calculated to or is likely to bring the Academy into disrepute.
  - (iii) Acting in a manner which causes injury or a risk of injury to any person on Academy premises.
  - (iv) Assaulting anyone connected with the College.
  - (v) Causing fear of violence on Academy premises or to anyone connected with the Academy.
  - (vi) Sexual, racial or other harassment; or unfair discrimination as described in the Academy's Dignity and Respect policy. Harassment is unwanted conduct that violates a person's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment for them having regard to all the circumstances, including the perception of the victim.
  - (vii) Any behaviour which disrupts the work of the Academy, or those within it or it or invited into it, including disorderly conduct, disruption of teaching, learning,

performances, research or discussion, interference with administration of the College, and obstruction of any Academy member in the course of their duties.

- 6.4.4 Consumption of food in the waiting area must be must be kept to an absolute minimum e.g. water, small non-perishable items.

## 6.5 Breach of RIAM Policies

- 6.5.1 All students should make themselves familiar with the policies of the Academy.
- 6.5.2 All matters of student discipline shall be overseen by the Head of Administrative Office [Registry] and reported to the Disciplinary Committee which shall consist of the Chair of the Board of Studies (or nominee) who will chair the Committee, relevant Head of Faculty (or nominee), Student Representative, and Administrative Officer [Registry] (or recording secretary). Three members will constitute a quorum and must include the student representative and relevant Head of Faculty.
- 6.5.3 If the alleged offence constitutes a criminal offence and criminal proceedings are pending, the matter may nevertheless be the subject of disciplinary action under these procedures provided that, after legal advice is taken, the matter is thoroughly investigated and an honest and reasonable belief as to the facts is arrived at before disciplinary action is taken. However, any such disciplinary action may be postponed pending the completion of any police investigation or criminal proceedings that may already be in progress or in prospect..
- 6.5.4 Where it is considered necessary in the interests of a student or of the Academy generally, the Director, in consultation with the Head of the Administrative Office (Registry), may order the immediate suspension of a student pending the investigation of a claim of alleged misconduct against him/her, and/or pending the outcome of any disciplinary action subsequently taken, or an appeal arising therefrom. The decision to suspend will be communicated in writing to the student, with a clear statement of the reason(s) for, and terms of, the suspension. The student should be informed that suspension is not considered a disciplinary action and does not involve any pre-judgement about the outcome of the investigation and of any subsequent disciplinary hearing. The period of suspension should be kept to a minimum and under review. A student who has been suspended for three weeks or more may appeal in writing to the Director, who should investigate (or delegate the investigation to another senior member of staff) and respond in writing within five working days stating clearly the reason(s) why the suspension is continuing, or lifting the suspension where it is no longer deemed to be appropriate.
- 6.5.5 Where damage is done to Academy property or to private property located in the Academy, full restitution shall normally be required.

## 6.6 Major Offences

The following offences are defined as examples of major offences:

- (i) Plagiarism - this would be dealt with under the Plagiarism Policy.
- (ii) The use of unauthorised material during an examination or other breaches of the Undergraduate and Postgraduate Student Examination Regulations. (See 6.8 below)

- (iii) Publishing confidential material in any manner, including on social media platforms.
- (iv) Furnishing false information to the Academy.
- (v) Forging, alteration, or misuse of Academy documents, records or identity cards.
- (vi) Physical or verbal abuse of another person.
- (vii) Malicious destruction, damage or misuse of property (Academy or private) in excess of €100 replacement value.
- (viii) Forcible occupation of Academy buildings or grounds.
- (ix) Unwarranted interference with the Academy safety equipment, fire-fighting equipment and alarm systems.

## 6.7 Minor Offences

The following offences are defined as examples of minor offences:

- (i) Littering.
- (ii) Disorderly conduct.
- (iii) Causing minor damage to Academy property or private property on the premises (up to €100 replacement cost).
- (iv) Being in unauthorised areas without permission.
- (v) Violation of the Undergraduate and Postgraduate student regulations.
- (vi) Failing to identify oneself on request.
- (vii) Conduct which disrupts or is likely to disrupt teaching, research, study, examinations, or the administration of the Academy.
- (viii) Conduct which obstructs or is likely to obstruct a member of staff of the Academy, or a person authorised by the Academy to carry out specific tasks, in the performance of his or her duties.

## 6.8 Offences related to Examinations:

- 6.8.1 When an allegation of infringement of Examination regulations, as set out in the Assessment and Progression Policy, is made to the Administrative Officer [Registry], she/he shall report the matter to the Disciplinary Committee in advance of the relevant Examinations Board meeting if possible and the Disciplinary Committee shall place a report on the matter before that Board.
- 6.8.2 In considering the matter, the Disciplinary Committee shall provide an opportunity to the student or students concerned and to the Complainant making the allegation, to state their case.
- 6.8.3 The Disciplinary Committee's report will make a recommendation to the Examinations Board, which will determine findings ranging from no further action, to reduction of marks, to full expulsion.

- 6.8.4 Students called by the Disciplinary Committee at an agreed time are expected to attend that meeting. Students who fail to attend are obliged to produce a doctor's note or other evidential proof of a serious reason for such non-attendance.
- 6.8.5 In the event of a non-attendance of a student at the Disciplinary Committee meeting, without explanation accepted by the Committee as satisfactory, the Committee will make a ruling in the absence of the student.

## 7. Procedures

### 7.1 Stage 1: Heads of Faculties

Heads of Faculties have initial responsibility for the maintenance of student discipline in their respective Schools, and it is intended that most cases of alleged misconduct or breach of the Academy regulations will be dealt with by them informally, or formally in accordance with the principles set out in 5.1 above. Heads of Department outside the Faculty structure may refer disciplinary matters to a student's Head of Faculty in the first instance. In any case where a student denies the allegations made against him/her, or where it is felt that the matter is of such seriousness that it should be dealt with at a higher level, the Head of Faculty will explain in writing the grounds for this and refer immediately to Stage 2 or, on the advice of the Administrative Officer (Registry), directly to Stage 3 of the Disciplinary Procedure.

Heads of Faculty may impose one or more of the following penalties:

- i) an informal reprimand and warning about future behaviour;
- ii) a requirement upon the student to give an undertaking as to his/her future behaviour within the Academy;
- iii) a formal reprimand, a note of which will be retained for one year on the student's personal file.

### 7.2 Stage 2: Administrative Officer (Registry)

The Administrative Officer (Registry) has responsibility for considering cases referred by a Head of Faculty, in accordance with the principles set out in 5.1 above. In any case where a student continues to deny the allegations made against him/her, or where it is felt that the matter is of such seriousness that it should be dealt with at a higher level, the Administrative Officer (Registry) will explain in writing the grounds for this and refer the case to the Secretary of the Disciplinary Committee.

The Administrative Officer (Registry) may impose one or more of the following penalties:

- (i) any penalty identified in Stage 1 of these procedures;
- (ii) a requirement upon the student to pay for any damage to the property he/she may have caused or to recompense the Academy for any loss it may have suffered arising from the student's misconduct;
- (iii) a fine up to a maximum of €250.

## 7.3 Stage 3: Disciplinary Committee

- 7.3.1 The Disciplinary Committee shall have responsibility for considering cases referred to it by the Administrative Office (Registry), and may impose one or more of the following penalties:
- (i) any penalty imposed in Stage 2 of these procedures;
  - (ii) suspension from part or all of the Programme of Study;
  - (iii) expulsion from the Academy.
- 7.3.2 Whenever a student is the subject of formal disciplinary proceedings, pursuant to the principles set out in 5.1 above, he/she shall be notified in writing of the following:
- (i) a clear specification of the nature of the misconduct against him/her;
  - (ii) the time, date and place fixed for the hearing, and a direction to be present at the hearing; the student normally shall be given no less than five working days' notice of the hearing and any request by him/her for this period to be extended shall not be unreasonably refused;
  - (iii) the right to be accompanied/represented at any hearing by a fellow student, Students' Union officer or a member of Academy staff;
  - (iv) the right to call witnesses on his/her behalf, to question these and other witnesses and to submit documentary evidence. Advance notification of witnesses attending any meeting must be made to the Secretary of the Committee as appropriate;
  - (v) the content of any documentation which Committee intends to refer to or make use of during the hearing.
- 7.3.3 Should the student fail to attend within ten minutes from the time appointed for the hearing, the Committee may proceed to hear the case if the Chair is satisfied that proper notice of the hearing has been given to the student, and there are no grounds for believing that the student might have good and proper reasons for not attending; otherwise the hearing shall be adjourned for the service of further notice on the student. If it is decided to deal with the case in the absence of the student, no matter shall be introduced which is not contained or referred to in the particulars notified to the student under 7.3.2 above.
- 7.3.4 If the student does not admit to the misconduct, the Committee shall proceed to consider the evidence, both oral and documentary. The student shall be given every opportunity to challenge the evidence against him/her and bring to the Committee's attention any mitigating circumstances pertinent to the case before a final decision is made by the Committee on the matter.
- 7.3.5 The Disciplinary Committee shall conduct its business in accordance with the rules of natural justice. Findings shall be made on the balance of probabilities and decisions may be by a majority.
- 7.3.6 Following completion of the interview or hearing, the student shall be informed as soon as possible of the decision reached. Written confirmation of the decision, with reasons

given, will be dispatched to the student within 24 hours of the decision being reached. The student will be informed of his/her right of appeal.

## 7.4 Appeals

7.4.1 Following a finding of guilt, the student shall have the right of appeal against both the finding and any penalty imposed as a consequence on one or more of the following grounds:

- (i) procedural irregularity;
- (ii) availability of new evidence which could not reasonably have been expected to be presented to the original hearing;
- (iii) the disproportionate nature of the penalty.

7.4.2 Appeals against Stage 1 or Stage 2 penalties for minor offences

Any penalty or sanction imposed by the Administrative Officer [Registry] in respect of a minor offence shall be carried out unless an appeal to the Disciplinary Committee is lodged to the General Office within three days of notification of its imposition. Appeals must be made in writing, stating the grounds for the appeal. The Administrative Officer [Registry] shall decide whether sufficient grounds for an appeal are established. In doing so s/he shall undertake such enquiries as may seem appropriate to reach a decision. Minor disciplinary action which is appealed, shall be suspended pending the hearing of the appeal by the Disciplinary Committee. Decisions of the Disciplinary Committee shall be final in relation to minor offences.

7.4.3 Appeals against suspension or expulsion

A student has the right of appeal to an Appeals Panel of the Board of Governors against a decision of suspension or expulsion. Notification of an intention to appeal and of the grounds for appeal shall be given in writing, within ten working days of the receipt by the student of the decision in writing against which he/she is appealing, to the Administrative Officer [Registry], who shall decide whether sufficient grounds for an appeal are established. In doing so s/he shall undertake such enquiries as may seem appropriate to reach a decision. The student shall be given not less than five working days' notice of the appeal hearing.

The Appeals Panel shall not re-hear the case afresh, but shall consider whether the initial hearing and outcome were fair from amongst the following, depending on the grounds for appeal submitted:

- (i) reviewing the procedures followed;
- (ii) establishing whether the student has presented any new evidence that could not have reasonably have been expected to be presented to the original hearing and this evidence is material and substantial to the findings;
- (iii) reviewing the penalty imposed.

The Appeal Panel shall seek to deal with the case on the basis of documentary evidence, but may, at their discretion, call a meeting to which the student is invited to present his or her appeal in person. In such an event, the student may be

accompanied by a fellow student, a Students' Union officer or a member of staff of the Academy of his or her own choice, who may speak on his or her behalf.

The Appeal Panel shall conduct its business in accordance with the rules of natural justice. Findings shall be made on the balance of probabilities and decisions may be by a majority.

The Appeal shall have the authority to confirm, set aside, reduce or increase the penalty previously imposed or, if new evidence that is material and substantial has been established by an Appeal Panel, to refer the case back for consideration by a newly constituted Student Disciplinary Committee.

## 7.5 Office of the Ombudsman

If a student feels that they have been unfairly treated or are not satisfied with the decision on a complaint, it is open to students to contact the Office of the Ombudsman. By law the Ombudsman can investigate complaints about any administrative actions or procedures as well as delays or inaction in dealings with the institution. The Ombudsman provides an impartial, independent and free dispute resolution service.

## 8. Responsibility

- 8.1 The Chair of Board of Studies is responsible for overseeing this policy and its three yearly cyclical review. The Administrative Officer (Registry) is responsible for its operating procedures in relation to all undergraduate and postgraduate programmes.

## 9. Legislation and Regulation

- 9.1 [Qualifications and Quality Assurance \(Education and Training\) Act 2012.](#)
- 9.2 [Standards and Guidelines for Quality Assurance in the European Higher Education Area \(2005\).](#)
- 9.3 [Code of Practice for Provision of Education and Training to International Learners \(2015\).](#)
- 9.4 [National Framework of Qualifications \(NFQ\).](#)

## 10. Related Documents

- 10.1 Academic Programmes: Responsibilities of Students Policy.
- 10.2 Plagiarism Policy.
- 10.3 Dignity and Respect Policy.
- 10.4 Academic Assessment and Progression Policy.
- 10.5 Information & Communications Technology Policy.
- 10.6 Alcohol and Drugs Policy.

## 11. Document Control

Approved by Board of Studies 25th November 2016.

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