Appendix D: Procedures for Reports Involving the Police

An appendix to the NSCD Harassment, Sexual Misconduct and Related Behaviours Policy & Procedure (2026)

Before you read this appendix

Please read the Harassment & Sexual Misconduct Policy & Procedure first. This appendix sets out what happens when a report made under the Policy has also been reported to the police or is the subject of criminal proceedings.

1. Purpose and scope

This appendix applies where a report made under the Harassment, Sexual Misconduct and Related Behaviours Policy & Procedure (the Policy) has also been reported to the police, or where criminal proceedings are underway in relation to the same behaviour.

Where this appendix applies, some or all internal proceedings under this Policy or the Non-Academic Misconduct Policy may be paused. This is to protect the fairness of any criminal investigation or prosecution and to protect the interests of everyone involved.

This appendix does not affect NSCD's right to take precautionary measures at any stage (see Section 3 and Appendix C).

2. Pausing internal proceedings

Where a matter has been reported to the police, the Quality Office will normally pause some or all internal action under this Policy or the Non-Academic Misconduct Policy until:

- the police have concluded their investigation and indicated they will take no further action; or
- any criminal prosecution has concluded, including any appeal.

The decision to pause proceedings, and the scope of what is paused, will be made by the Quality Office in consultation with the relevant officer conducting the internal process and where necessary, the CEO and Principal.

Where internal proceedings have already begun when a report to the police is made, those proceedings will be paused at that point.

3. Precautionary measures during police proceedings

Precautionary measures may be put in place or continued throughout any period when internal proceedings are paused. The full list of available measures and the process for imposing them is set out in Appendix C.

The decision to impose, vary or lift precautionary measures during this period will be made by the Quality Office in accordance with Appendix C, regardless of the status of any criminal investigation or proceedings.

4. Keeping both parties informed

Throughout any period when internal proceedings are paused, the Quality Office will:

- keep the reporting student informed of the reason for the pause and the likely timeframe, in writing;
- provide a named point of contact (the reporting student's Designated Support Contact) who they can approach at any time;
- review the position at regular intervals (normally every three months) and update both parties in writing; and
- inform both parties in writing as soon as the pause is lifted and internal proceedings are to resume.

The responding student will be kept informed of the status of internal proceedings in the same way, to the extent that doing so does not compromise the safety of the reporting student or the integrity of any criminal proceedings.

5. Support throughout

Support for both the reporting student and the responding student will continue regardless of whether internal proceedings are paused. Each student's Designated Support Contact will remain in place throughout any criminal investigation or proceedings.

Following the conclusion of any criminal investigation or judicial proceedings, a further support meeting will normally be offered to both the reporting student and, where appropriate, the responding student.

6. Following a conviction or caution

Where a registered student is convicted of a criminal offence or accepts a police caution, in connection with behaviour that falls within the scope of this Policy, the conviction or caution will be treated as conclusive evidence that the behaviour took place. The matter will be referred under the Non-Academic Misconduct Policy.

Where a current registered student obtains a criminal conviction, the matter will also normally be referred to the Convictions Consideration Panel under the NSCD Criminal Records Policy. On conclusion of that process, the matter may be referred into the procedures under this Policy or other NSCD procedures as appropriate.

Staff

Where a member of staff is convicted of a criminal offence, or accepts a police caution, in connection with behaviour within the scope of this Policy, the matter will normally be referred into HR procedures to determine whether any action is necessary, if this has not already happened.

Guest artists and occasional workers

Where an individual who is not a registered student or permanent member of staff (for example, a guest artist or visiting practitioner) is convicted of a criminal offence or accepts a caution in connection with such behaviour, the matter will be referred to the CEO and Principal for a decision on whether and how NSCD should respond.

7. Where no conviction results

A decision by the police or Crown Prosecution Service to take no further action, or an acquittal at trial, does not prevent NSCD from taking action under this Policy or any other NSCD policy. The standard of proof applied in NSCD's internal proceedings - the balance of probabilities - is different from and lower than the standard applied in criminal proceedings.

A decision not to prosecute, or an acquittal, does not mean the reporting student has made a vexatious or malicious report, and NSCD will not treat it as such.

Where internal proceedings were paused, the Quality Office will write to both parties, usually within 10 working days of the conclusion of criminal proceedings, to confirm that internal proceedings will resume and to set out the next steps.

8. The right to complain

If the reporting student is dissatisfied with how NSCD has handled any period during which internal proceedings were paused, they may use the Student Complaints Procedure at any time.

Once NSCD's internal procedures are complete, a student who remains dissatisfied with the outcome may, where eligible, refer their complaint to the Office of the Independent Adjudicator (OIA) for Higher Education.

9. NSCD's autonomous right to act

NSCD's internal processes are separate from criminal or civil proceedings. NSCD is not bound by the outcome of any police investigation, Crown Prosecution Service decision, or court proceeding when deciding whether to take action under this Policy or any other NSCD policy.

The pausing of internal proceedings is a protective and precautionary measure, not a finding in favour of either party. It does not affect NSCD's right to take disciplinary or other action once the criminal process has concluded, or sooner where the circumstances make this appropriate.