

Student Disciplinary Policy

Designation number	LC015	Title	Student Disciplinary Policy
Current Version number	August 2020 v4	Review date	August 2021
Published on website	Yes	Related policies and/or procedures	Student Handbook Academic Offences Academic Appeals Malpractice Policy Complaints Policy Grievance Procedures
Relation to QAA requirements (parts of code covered)			
Informed by UK Quality Code – Core Practices for Quality			

Scope and Purpose

To provide a policy and a set of procedures to ensure that students who fail to meet the expectations of the College are treated with consistency, whilst taking into account the individual circumstances of each student.

By signing the learning agreement at enrolment students accept the terms and conditions of this policy.

Scope and purpose of the Policy:

- The code applies to all College students, both full and part time.
- Through induction and on an ongoing basis, the College will provide students with a clear understanding of the commitments that they make to their studies, to the College community and its environment.
- To ensure that students adhere to key College policies and guidelines
- To allocate duties to College staff at an appropriate level of responsibility.
- To ensure that disciplinary actions are coupled with support for the students which takes into account their individual circumstances.
- To document all actions taken with students.

Expected Behaviour

The College is a higher education institution for an adult (post 18 years old) learning environment and students are expected to behave in an appropriate manner when attending College.

Students should:

- Behave in a way that is respectful and sensitive to the needs of other members of the College community.
- Follow College rules and regulations.
- Meet the academic requirements of the course.
- Attend all classes, tutorials and exams as detailed in the College attendance policy.
- Hand in all assessed work on time and be in attendance for exams as required.

Disciplinary Offences

The following are some examples of misconduct:

- Any breach of the responsibilities of students outlined in the 'Learning Agreement' and any breach of Health and Safety Policy or other regulations of the College, as outlined in the Student Handbook.
- Any failure to follow the reasonable instructions of a member of staff.
- Any theft of property or any other dishonest acts.
- Deliberately or by gross negligence causing damage to any College buildings, equipment, books or furnishings or any property of others.
- Any misuse of substances e.g. solvents, alcohol, non-medical use of prescribed drugs or illegal drugs. This applies to substance misuse within, or having an effect within, the grounds and premises of the College or in the immediate vicinity.
- Any interference with hardware, software or data belonging to or used by the College or other students.
- Any smoking within the College premises.
- Any cheating, plagiarism or copying of the work of other students.
- Any unduly noisy or any unruly behaviour or the use of foul or abusive language.
- Disrupting any class or any other College activity.
- Any bullying, intimidation, taunting, verbal abuse or the use of any violence or threat of violence towards any person.
- Any behaviour which is socially or sexually offensive or which is offensive to those with learning and/or physical disabilities or impediments.
- Any behaviour which could bring the College into disrepute.
- Any illegal act which may have an adverse effect on the work of the College or on other students.

Gross Misconduct

To protect the learning environment, the College takes seriously any breaches of this code and should this happen, the College will follow the Student Disciplinary Procedure as detailed in this document.

Furthermore, the College's Student Disciplinary Procedure will be used in cases where students are involved in:

- theft of any kind;
- threatening behaviour or assault;
- bullying or harassment including by text or email;
- deliberate damage to property (College and personal property);
- endangering the health and safety of others;
- any potentially criminal activities affecting the College or other students;
- possession and/or use of alcohol;
- possession and/or use of illegal substances;
- cheating, plagiarism, forgery and gambling;
- inappropriate access to web material deemed unsuitable;
- inappropriate use of college e-mail.

This is not an exhaustive list and each incident will be reviewed individually.

Where student actions are deemed to be Gross Misconduct, the College will suspend the student pending a formal investigation. In all cases of Gross Misconduct the Principal will investigate the incident and may permanently exclude a student or place the student on a final warning as detailed in the College Student Disciplinary Procedures below. In all circumstances a letter will be issued to the student notifying them of the decision taken.

It is very likely that the police will be informed of actions related to illegal substance abuse, theft or violent behaviour.

Stages of the College Disciplinary Procedure

Informal

First Stage

The first time that a student is involved in misconduct the matter will be dealt with informally by his or her Tutor.

The informal stage is designed to make sure that the student is aware that his or her behaviour will not be tolerated and provide the support necessary to help the student behave in an appropriate way.

Second Stage

If the student continues to behave in an inappropriate way, which constitutes misconduct the matter will be referred to the Programme Leader and the student will receive a second warning which will be confirmed in writing.

Formal

Third Stage

The formal procedure will be undertaken by a Programme Leader when informal procedures have been ineffective or the incident is more serious. The Programme Leader will issue the student with a formal written warning.

These warnings will usually have conditions attached which specify how the student's behaviour should improve.

If the student is sponsored by an employer and studying part-time, a copy of the disciplinary letter will also be sent to the employer.

At this stage, and at all subsequent stages the student will be made aware of the right of appeal against a formal warning, particularly an academic warning.

Fourth Stage

The student will be required to see the Principal if:

- The student breaks the terms of the formal warning from the Programme Leader
- The student is involved in an act of gross misconduct

The Principal will either:

- Issue the student with a final written warning **or**
- Require the student to attend a disciplinary hearing

A possible outcome of this disciplinary hearing is that the student's studies at the College may be terminated.

Gross Misconduct and Suspension

If the student commits an act of gross misconduct, it is very likely that the student will be suspended from College whilst the incident is investigated.

The suspension may be a disciplinary measure as part of the formal procedures or a neutral act whilst investigations are taking place.

Following the investigation, if the student is found to have committed a serious offence, which amounts to gross misconduct, then the student will be required to attend a meeting with the Programme Leader.

Disciplinary Hearing

A Disciplinary Panel will consist of three senior members of staff (Registrar, Head of Quality, Programme Leader and a senior member of the teaching or administrative staff) and will normally be chaired by the Principal.

At the Disciplinary Panel a senior member of staff will outline what the student has done wrong, giving full details of the misconduct, including any letters or other documentation to evidence the previous warnings that the student has been given. In return, the student will be asked to give his or her side of the story and present other reasons or mitigating circumstances which might excuse some or all of the bad behaviour.

If the student does not turn up for the Disciplinary Panel meeting, the Panel will be re-arranged once. However, if the student fails to attend the second meeting it will be held without the student in attendance.

The Disciplinary Panel will make one of the following decisions:

- Termination of studies at the College
- Other formal disciplinary action **or**
- The student may be allowed to rejoin the course with conditions attached.

The student will receive a letter informing him or her of the decision of the panel.

Right to Appeal

Students have the right to appeal against the outcome of a disciplinary meeting.

An appeal will only be considered on the following grounds:

1. if new evidence is available that for good reason was not available at the time of the original meeting,
2. if it can be demonstrated that the correct procedures were not followed
3. if the consequence is out of proportion with the offence.

The appeal explaining the grounds for the submission must be submitted in writing within 10 working days of the communication of the outcome of the disciplinary meeting. Appeals should be submitted to the Principal.

The student will be advised within 5 working days of whether the request for a review has been accepted and if not, reasons why it has not been accepted.

If accepted, a Disciplinary Appeal Panel will be established. The Panel will consist of:

- a member of the Senior Management Team (Chair)
- 2 members from either Academic Board or Quality Standards Committee.

No member of the Appeal Panel will have any prior experience of the matter.

The Student Disciplinary Appeal Panel will be given the written material presented to the disciplinary meeting, the notes of the proceedings and the decision of that meeting. No witness present at the disciplinary meeting will be recalled, nor will the evidence presented to the disciplinary meeting be reheard, unless the panel is satisfied that it is necessary in the interests of justice.

The student is entitled to attend a meeting with the panel in order to state their case, and to be accompanied in such a meeting by a friend, who is a student of the college, and, if the student is under 18 years of age, by their parent or guardian.

The outcome of the review will be to:

1. Confirm the original decision,
2. Annul the original decision or,
3. Amend the original decision which may include a reduction in the original penalty

If a student has completed this procedure and they are still dissatisfied with the outcome, they may be able to refer the issue to the Office of the Independent Adjudicator for Higher Education (OIA) providing that it is so eligible under the OIA's rules.

Information is available from the OIA's website at www.oiahe.org.uk