# Promoting a Positive Learning Environment (PPLE)

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<td>Responsible committee and officer</td>
<td>AP – Business &amp; Technology</td>
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<td>Original author:</td>
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## Approval

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## Purpose/change

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| **Overview** | The policy aims to promote a positive learning environment. This is set within the context of the broader framework of policies and related procedures. |
| **Purpose** | The policy seeks to promote, encourage and recognise a positive learning environment, and engender a culture of equality, diversity and openness. We expect conduct that helps to create a positive and safe learning environment that reinforces our culture. This policy fits into a broader framework of policies related to culture, conduct and discipline. |
| **Scope** | This policy applies to all current and prospective students regardless of level or mode of study, and applies to all areas of student engagement in their learning environment and/or which may affect other students and staff, including online activities. |
| **Consultation** | The policy has been developed by a group of practitioners from across the Academic Partners in the University of the Highlands and Islands to ensure that best practice is reflected in the policy and accompanying procedures. |
| **Implementation and Monitoring** | Academic Partners are responsible for ensuring that the policy and procedures are followed in their own organisation. |
| **Risk Implications** | This policy will reduce risk for Academic Partners by ensuring that best practice from across the partnership is being shared and followed. |
| **Link with Strategy** | This policy supports the University’s commitment to provide a safe and supportive learning and working environment for all, aligned with the Strategic Theme of “Our Students”, responding to the diversity of our student population. |
| **Impact Assessment** | Equality Impact Assessment: Completed 06/02/2019 – no further action required. Privacy Impact Assessment: n/a |
1 Policy Statement

1.1 Lews Castle College UHI aims to promote a positive learning environment. This is set within the context of the broader framework of policies and related procedures.

1.2 In developing this aim, Lews Castle College UHI recognises that the appropriateness, development and acceptability of certain conduct may be different depending on the background and maturity of the learner(s) involved, and that individuality and context will be recognised.

1.3 This policy sets out how we seek to promote and maintain a positive learning environment, with reference to the Student Code of Conduct, and procedures in the event of breach of the Code. The relevant Procedures explain the process that will be followed (see Appendix 1 – Disciplinary Framework).

1.4 This policy applies to the University of the Highlands and Islands and all Academic Partners.

2 Definitions

2.1 Behavioural misconduct: Students are expected to conduct themselves in a professional and courteous manner, both on and off campus, in a manner which demonstrates respect for Lews Castle College UHI, its staff, fellow students and property, and for other members of the local community in general. Behavioural misconduct is a breach of this expected standard.

2.2 Student Code of Conduct: This is a document that is made available to and is applicable to all students that states Lews Castle College UHI’s expectations for student conduct. It gives examples of misconduct offences and the types of disciplinary action likely to occur.

2.3 Academic misconduct/malpractice: A generic term to describe any type of cheating or dishonest conduct in relation to a formal academic exercise. It may be deliberate or unintentional and may take different forms, including, but not limited to: plagiarism, cheating, collusion, falsification or fabrication of data, personation and bribery.

2.4 Academic maladministration: Any activity or practice which arises due to ignorance of Awarding Body requirements, or carelessness or neglect in applying the requirements. This results in non-compliance with an Awarding Body’s requirements.

2.5 Disciplinary Framework Decision Tree: Located in Appendix 2, this is a document used to establish which Policy and Procedures should be used in order to set out a transparent process for students and staff.
2.6 **Exclusion from campus**: the removal of the student’s access to all sites constituting Lews Castle College UHI campus for a specified period of time in response to a disciplinary incident. In some circumstances this exclusion may extend to all University and Academic Partner campuses. The student may continue to study remotely throughout this period.

2.7 **Exclusion from studies**: the removal from the student’s course of study in response to a disciplinary incident, resulting in the loss of registered student status and loss of access to all facilities.

In some circumstances this exclusion may apply to the University and all Academic Partners for a period of time deemed appropriate by the disciplinary process. In some cases this may result in any future applications from the student being rejected.

2.8 **Suspension of Studies**: A Suspension of Studies is not a disciplinary measure. When a student chooses to take a period of time out from their studies because of a change in their personal circumstances, with the intention to return at a later date.

3 **Purpose**

3.1 Lews Castle College UHI seeks to promote, encourage and recognise a positive learning environment, and engender a culture of equality, diversity and openness.

3.2 We expect conduct that helps to create a positive and safe learning environment that reinforces our culture. Examples of unacceptable conduct can be found in the [Student Code of Conduct](#).

3.3 This policy fits into a broader framework of policies related to culture, conduct and discipline. Please refer to Appendix 1 – Disciplinary Framework for further details.

3.4 All breaches of the Student Code of Conduct will be investigated in accordance with our disciplinary procedures. Any such instance which may also constitute a criminal offence will be reported to the police and may lead to separate criminal proceedings.

3.5 All disciplinary matters will be dealt with in strict confidence and all personal data will be dealt with following legislative guidelines.

4 **Scope**

4.1 This policy applies to all current and prospective students regardless of level or mode of study.
4.2 This policy applies to all areas of student engagement in their learning environment and/or which may affect other students and staff, including online activities.

4.3 This policy applies to students in accommodation managed by Lews Castle College UHI, but may be brought into effect where a student residing in privately managed accommodation conducts themselves in a manner which brings Lews Castle College UHI into disrepute.

4.4 **School Link Programmes**: School Link pupils fall within the scope of the Promoting a Positive Learning Environment Policy when they are studying on Lews Castle College UHI campuses and are expected to observe the Student Code of Conduct.

4.5 Fitness to Practice and Fitness to Study are not explicitly within the scope of this Policy but are linked processes and as such are signposted within the Student Disciplinary Procedure and the Student Code of Conduct.

5 **Exceptions**

5.1 Students who are subject to disciplinary investigations related to official Highlands and Islands Student Association business are subject to the HISA Disciplinary Procedures.

6 **Notification**

6.1 All staff members will be notified of changes to the Policy and Disciplinary Procedures through the normal channels.

6.2 Staff responsible for overseeing the process should have a detailed knowledge of the Policy and Disciplinary Procedures.

6.3 Students will be made aware of the Policy, Student Code of Conduct and Disciplinary Procedures within four weeks of commencing their course.

6.4 The Policy and Disciplinary Procedures will be publicly available on the College’s website.

6.5 The Disciplinary Framework Decision Tree will be updated to reflect any changes in the Framework.

7 **Roles and Responsibilities**

7.1 The Board of Management is responsible for approving the policy and ensuring that it is followed.
7.2 The Senior Management Team is responsible for operational compliance with the policy. The Senior Management Team is also responsible for ensuring the operational effectiveness of the policy and making provision for training for all staff.

7.3 Line managers are responsible for ensuring staff participate in training and follow the policy and procedures in their day-to-day role.

7.4 All staff are responsible for familiarising themselves with the policy and procedures.

8 Legislative Framework

Data Protection:
- Data Protection Act 2018
- General Data Protection Regulation (GDPR) 2018

General:
- Equalities Act 2010

Protection of Vulnerable People:
- Adults with Incapacity (Scotland) Act 2000
- Adult Support and Protection (Scotland) Act 2007
- Children and Young People (Scotland) Act 2014
- Protection of Children (Scotland) Act 2003
- Protection of Children and Prevention of Sexual Offences (Scotland) Act 2005
- Protection of Vulnerable Groups (Scotland) Act 2007

Staff should also note the detailed list of policies specific to Safeguarding listed in that policy.

9 Related Policies, Procedures, Guidelines and Other Resources

Academic Standards and Quality Regulations
Approved Placement Policy
LCC Work Placement Policy
Complaints Handling Procedures
LCC Complaints Procedures
Fitness to Study Guidelines
IT Acceptable Use Policy
Safeguarding Policy
Student Code of Conduct
Study Abroad Policy and Guidance (forthcoming)
Appendix 1: Disciplinary Framework

Further Education

- Promoting a Positive Learning Environment Policy
- Disciplinary Procedures
- Student Code of Conduct
- Academic Misconduct – Local Procedures or Awarding Body
- Fitness to Study Guidelines

Higher Education

- UHI Academic Regulations
- HE Academic Misconduct Policy and Procedures
- Fitness to Practice Guidelines
Appendix 2: What policy should I refer to?

Start here

Is the issue related to contravention of Academic Regulations (e.g. academic misconduct/malpractice, including research misconduct)?

- Yes → Academic Misconduct Policy and Procedures
- No → Is the issue a breach of the Student Code of Conduct?

- Yes → Disciplinary Procedures
- No → Follow necessary outcomes

Does the issue or investigation raise concerns about the student’s Fitness to Study?

- Yes → Fitness to Study Guidelines
- No → End of Process

At any point during the process, regardless of which procedure is being followed:

Does the issue or investigation raise concerns about the student’s Fitness to Study?

- Yes → Fitness to Study Guidelines
- No → End of Process

Follow necessary outcomes

Does the outcome need to be referred to relevant Fitness to Practice Procedures?

- Yes → Fitness to Practise Guidelines
- No → End of Process
Student Disciplinary Procedures

1. Introduction

1.1. This procedure supports the Promoting a Positive Learning Environment Policy and the Student Code of Conduct.

1.2. This procedure is designed to give students and staff a clear framework to fairly and promptly address any situations which may arise around student behaviour and suspected breaches of the Student Code of Conduct.

2. Scope

2.1. This procedure applies to all students (Further Education, Higher Education, Postgraduate and Postgraduate Research) enrolled on a programme of study at Lews Castle College UHI or who are enrolled at another academic partner but are studying at Lews Castle College UHI.

2.2. This procedure applies to suspected breaches of the Student Code of Conduct in physical and online environments, including social media and messaging services.

2.3. The procedure applies to suspected breaches of the Student Code of Conduct on campus and off campus.

2.4. For students who are also school pupils, refer to Section 7.

3. Exceptions

3.1. As per Appendix 1 of the Promoting a Positive Learning Environment Policy, there are separate procedures for academic misconduct.

3.2. In situations where a student’s behaviour may be related to a health condition e.g. mental health condition or a condition identified in a Personal Learning Support Plan (PLSP), additional support and use of Fitness to Study and/or Fitness to Practise Guidelines may be considered alongside or instead of this procedure.

4. Definitions

4.1. Precautionary Action: In the event of an allegation of misconduct, a student may be excluded from Lews Castle College UHI until the investigation is completed if there is risk of harm to themselves, other students or staff. During this time they may be able to continue to study remotely and will continue to receive student support funds. Precautionary action is not a punishment, but is intended to protect the interests of all parties.
Where precautionary action is to be used the student’s Head of Department should inform the student by letter explaining that they are being excluded to allow an investigation to occur.

Precautionary action may also include measures up to complete exclusion from Lews Castle College UHI, e.g. removal of access to a course of study or specific building.

4.2 **Exclusion from Campus:** The removal of the student's access to all sites constituting Lews Castle College UHI for a specified period of time in response to a disciplinary incident. In some circumstances this exclusion may extend to all University and Academic Partner campuses. The student may continue to study remotely throughout this period. The relevant Assistant Principal should inform the student of the course of action.

4.3 **Exclusion from Studies:** The removal from the student's course of study in response to a disciplinary incident, resulting in the loss of registered student status and loss of access to all facilities.

In some circumstances this exclusion may apply to the University and all Academic Partners for a period of time deemed appropriate by the disciplinary process. In some cases this may result in any future applications from the student being rejected.

4.4 **Suspension of Studies:** A Suspension of Studies is not a disciplinary measure. When a student chooses to take a period of time out from their studies because of a change in their personal circumstances, with the intention to return at a later date.

5. **Procedure**

5.1 It is widely acknowledged that disruptive behaviour is a barrier to learning and can negatively impact on the learning and wellbeing of the student themselves and/or other students and staff. This procedure should be implemented promptly as early intervention and support can result in better outcomes for the student and may avoid the situation becoming more complex.

All staff have a responsibility to promote a positive learning environment and challenge behaviour contrary to the Student Code of Conduct. Staff should ensure that, when intervening in any situation, they consider their own safety as well as the safety of other staff and students.

At any stage during the disciplinary process, if a student is found not to be responsible for any suspected misconduct then the investigation will be closed and no further action taken. A record of the investigation will be retained according to the retention schedule.

5.2 **Informal Stage**

5.2.1 Lews Castle College UHI will usually try to deal with suspected breaches of the Student Code of Conduct informally first, and only use the formal disciplinary process when this proves unsuccessful, or it is inappropriate in the circumstances
(e.g. recurring breaches of the Student Code of Conduct, an instance of a more serious nature or gross misconduct).

5.2.2 Informal action would normally involve staff discussing with the student any behaviour causing concern, and setting out the expectations around behaviour. Brief notes should be taken of the discussions and recorded on the student’s guidance record.

5.2.3 All students interviewed, including the student who is alleged to have breached the Code of Conduct, should be offered the opportunity to be accompanied by a supporter of their choosing (other than a legal representative or another student involved in the incident or investigation). Should the student wish, this could be a representative from HISA or an appropriate member of staff.

5.2.4 Students should be notified that a note has been made of the discussions and that no further action will be taken unless misconduct continues or escalates.

5.2.5 Repeated low level misconduct should be raised with the PAT. Should the misconduct continue or escalate, the formal disciplinary process will be considered.

5.3 Stage 1 Formal Disciplinary Process

5.3.1 Where a suspected breach of the Student Code of Conduct has occurred, or where previous informal discussions and or informal verbal warnings or other sanctions have been ignored, the reporting member of staff should discuss the situation with the PAT.

5.3.2 The PAT will then consider the incident alongside the student’s behaviour to date generally. Discussions should be held with the student to establish their version of events.

5.3.3 All students interviewed, including the student who is alleged to have breached the Code of Conduct, should be offered the opportunity to be accompanied by a supporter of their choosing (other than a legal representative or another student involved in the incident or investigation). Should the student wish, this could be a representative from HISA or an appropriate member of staff.

5.3.4 Discussions may be held with other staff and/or students to ascertain the situation and verify events.

5.3.5 The PAT should take brief notes of all the discussions along with gathering any evidence which may indicate whether the suspected misconduct has taken place. A copy of the notes should be given to the parties interviewed to be signed for verification of accuracy.

5.3.6 Provided the staff members investigating are satisfied that a breach of the Student Code of Conduct has taken place, the PAT can issue a verbal warning to the student.

5.3.7 Should the evidence suggest that the misconduct is not serious enough to merit a verbal warning, the PAT can use informal warning instead, following the guidance in Section 5.2.2 onwards.
5.3.8 At the point of issuing the verbal warning, the student’s behaviour should be discussed, outlining the impact on others and emphasising the need to change. Strategies should be discussed that will lead to improvements and agreed with the student. The student should be informed that repeated misconduct may lead to a Stage 2 formal disciplinary procedure.

5.3.9 After issuing the verbal warning to the student, the PAT will arrange for an official notification of the verbal warning, and any possible supplementary action plan, to be sent to the student. The warning should be documented on the student’s record. The verbal warning will remain in place for the remainder of the academic year.

5.3.10 When issuing the verbal warning, the PAT should complete all appropriate paperwork. A copy of this should be sent to the student’s Head of Department, the Student Services Manager and Head of Quality. Appropriate information and any relevant documentation should be logged in the student’s file. The verbal warning will remain in place for the remainder of the academic year.

5.3.11 The PAT should provide feedback to the member of staff that initially reported the misconduct where relevant.

5.3.12 The student has the right to make an appeal against the outcome under specific circumstances. Further information is included in Section 6.

5.4 Stage 2 Formal Disciplinary Process

5.4.1 Where behaviour which has previously received a formal verbal warning recurs, or where there is serious breach of the Student Code of Conduct, the Stage 2 Formal Disciplinary Process will be initiated.

5.4.2 The PAT and student’s Head of Department will consider the suspected breach of the Student Code of Conduct alongside the student’s behaviour to date. Discussions should be held with the student to establish their version of events.

5.4.3 All students interviewed, including the student who is alleged to have breached the Code of Conduct, should be offered the opportunity to be accompanied by a supporter of their choosing (other than a legal representative or another student involved in the incident or investigation). Should the student wish, this could be a representative from HISA or an appropriate member of staff.

5.4.4 Discussions may be held with other staff and/or students to ascertain the situation and verify events. The PAT and student’s Head of Department should take brief notes of the discussions along with gathering any evidence which may indicate whether the suspected misconduct has taken place. A copy of the notes should be given to the parties interviewed to be signed for verification of accuracy.

5.4.5 Provided the staff members investigating are satisfied a breach of the Student Code of Conduct has taken place, the student’s Head of Department can issue a written warning to the student.
5.4.6 Should the evidence suggest that the misconduct is not serious enough to merit a written warning, the PAT can issue a verbal warning instead, following the guidance in Section 5.3.4 onwards.

5.4.7 At the point of issuing a formal warning the PAT and student’s Head of Department should arrange to meet with the student to discuss their behaviour, outlining the impact on others and emphasising the need to change. Strategies should be discussed that will lead to improvements and agreed with the student. The student should be informed that repeated misconduct may lead to the Stage 3 Disciplinary Process being initiated.

5.4.8 When issuing the written warning, the PAT and student’s Head of Department should complete the appropriate paperwork. A copy of this, and any possible supplementary action plan, should be sent to the student, the relevant Assistant Principal, the Student Services Manager and Head of Quality. Appropriate information and any relevant documentation should be logged on the student’s guidance record. The written warning will remain in place for the remainder of the academic year.

5.4.9 The student has the right to make an appeal against the outcome under specific circumstances. Further information is included in Section 6.

5.5 Stage 3 Formal Disciplinary Process (including Gross Misconduct)

Context

5.5.1 The Stage 3 Formal Disciplinary Process will be initiated where:

- Repeated breach of the Student Code of Conduct for which the student has previously received warnings

- A single instance of suspected gross misconduct e.g. behaviour serious enough that if proven it may lead to exclusion or withdrawal from Lews Castle College UHI.

5.5.2 Should the appropriate member of staff believe Stage 3 Formal Disciplinary Process may be appropriate, the issue should be discussed with the student’s Head of Department. The issue should then be taken to the relevant Assistant Principal and a decision made about whether to proceed to Stage 3 Formal Disciplinary Process.

Investigation

5.5.3 Following initial investigations into the suspected breach of the Student Code of Conduct, consideration should be given by the relevant Head of Department, Head of Department and Student Services Manager as to whether precautionary action should be taken (see Section 4.1).

5.5.4 An appropriate member of staff will be appointed as Investigating Officer by the relevant Assistant Principal. Any potential conflicts of interests should be avoided when appointing an Investigating Officer.
5.5.5 All investigations should be conducted within a timeous period. For example it is recommended that an investigation should not normally take more than 10 working days.

5.5.6 Before meeting with a student as part of a formal investigation, it should be ascertained whether the student has a Personal Learning Support Plan that means they may need extra support during the investigation. This support should be arranged before any formal disciplinary meeting. The Investigating Officer should be aware of the impact the student’s PLSP may have on their experience of the disciplinary process. This also applies to any witnesses that may be interviewed.

5.5.7 The student who is the subject of the disciplinary investigation should be provided with a copy of the Disciplinary Procedures prior to interviews taking place.

5.5.8 The Investigating Officer will identify all witnesses and individuals involved in the suspected misconduct and collect any relevant evidence. Where it is considered necessary to interview a witness or those involved, the Investigating Officer should meet with each of these people individually. A record of these interviews will be taken by an appropriate person. A copy of the notes should be given to the parties interviewed to be signed for verification of accuracy.

5.5.9 All students interviewed, including the student who is suspected of breaching the Code of Conduct, should be offered the opportunity to be accompanied by a supporter of their choosing (other than a legal representative or another student involved in the incident or investigation). Should the student wish, this could be a representative from HISA or an appropriate member of staff.

5.5.10 At the end of the investigation the Investigating Officer will complete the Stage 3 Disciplinary Checklist and provide a recommendation on whether there is a disciplinary case to answer to the relevant Assistant Principal. The recommendation will be accompanied by any evidence relating to the suspected breach of the Student Code of Conduct collected during the investigation, including statements from staff and/or students.

5.5.11 The recommendation will include details of any previous disciplinary action and an overview of the student’s engagement with studies to date.

5.5.12 The relevant Assistant Principal will make a decision whether to proceed to a Disciplinary Hearing, based on the recommendation from the Investigating Officer and the evidence collected during the investigation.

5.5.13 Should the relevant Assistant Principal choose not to proceed to a Disciplinary Hearing, their rationale should be recorded and all records retained for as per the retention schedule.

**Disciplinary Hearing**

5.5.14 Should the relevant Assistant Principal decide to proceed to a Disciplinary Hearing, it will take place within ten working days of the Investigating Officer making their recommendation.
5.5.15 The Disciplinary Hearing panel should consist of 3 members, plus a scribe. At least one of the panel members should be of a senior enough level to be able to make a decision on withdrawing or excluding a student. Where the latter is not possible the panel outcome should be passed to a relevant senior member of staff after the meeting who can take this decision within a timeous manner. It is recommended that at least one of the managers on the panel is from another curriculum area.

5.5.16 The purpose of the meeting is to:
- Establish whether the alleged incident took place
- Explore the reasons for alleged incident
- Establish whether the student is committed to correcting their behaviour
- Explore how the student can be supported if they continue with their studies
- Determine any disciplinary action that should be taken against the student
- Determine whether the circumstances are such that the student should be excluded from their studies or from the campus (and/or all UHI campuses)

5.5.17 The panel must consider all the evidence presented before arriving at a conclusion. The conclusion may be reached at the end of the meeting or through further discussion with relevant members of staff after the meeting.

5.5.18 Where a student declines to attend an interview or does not attend the hearing, the hearing will take place in order to consider the investigation findings before coming to a conclusion as to the appropriate course of action.

**Outcome of Disciplinary Hearing**

5.5.19 The student must be informed of the outcome of the Disciplinary Hearing in writing within three working days of the meeting.

5.5.20 The Disciplinary Hearing Panel has scope to take disciplinary action that may include one or more of the following:
- Final written warning
- Written warning
- Verbal warning
- Written apology to the aggrieved party
- Compulsory attendance at a workshop/coaching session
- Restrictions/conditions on attendance
- Fines for wilful damage, theft or non-return of equipment
- Exclusion from their studies
- Exclusion from campus
- Permanent exclusion from the University and all Academic Partners
- De-registration (postgraduate research students)
- Removal of university award
- Referred for consideration to the Fitness to Study Procedure/Fitness to Practise Procedure
- No further action

5.5.21 The student has the right to make an appeal against the outcome under specific circumstances. Further information is included in Section 6.

5.5.22 A copy of all documentation presented as evidence, the panel outcome letter, and the Hearing Report should be sent to the Student Services Manager. A copy of the panel outcome letter should be sent to the Head of Quality. If a sanction is given this should be logged on the student’s guidance record. The Disciplinary Hearing Panel will determine the length of time for which the warning or sanction will remain in place.

6. Appeals

6.1 A student may appeal against any disciplinary action taken against them. Appeals will only be considered on the following grounds:

a. That the Disciplinary Process was not followed correctly;

b. That there was prejudice and/or bias on the part of the Investigating Officer or any Disciplinary Hearing Panel members which affected the outcome;

c. That the disciplinary action imposed is thought to be disproportionate to the offence;

d. That there is new evidence which could not have been made reasonably available during the original determination.

6.2 Appeals must be made in writing to the stage appropriate member of staff (the person who wrote with the outcome of the consideration). The appeal must be made within five working days of receiving the outcome of disciplinary action and must state the grounds on which the appeal is being made.

6.3 Appeals will not be considered for any other reason or through any other means than those outlined above.

6.4 The appeal will be considered by a stage appropriate staff member who has not previously been involved in the decision making process. The person who is to consider the appeal will respond to the student within five working days of receiving the appeal. Once the outcome has been decided there is no recourse to further appeal.
7. **Students who are school pupils**

7.1 In cases of pupil misconduct, College staff will inform the relevant school of the incident. Disciplinary procedures are then followed in line with the procedures set out above. At the end of the relevant process, the College will also write to the pupil’s guardian to inform them of the outcome of disciplinary procedures due to an incident of pupil misconduct. In some situations by mutual agreement with the school a pupil may be withdrawn from a course.

8. **Appendices**

Please refer to the Promoting a Positive Learning Environment Policy appendices for an overview of policies and procedures, and a flowchart to help staff ascertain which policy and procedure should be used.

- Appendix 1: Disciplinary Procedure Overview
- Appendix 2: Informal Stage Flowchart
- Appendix 3: Stage 1 Flowchart
- Appendix 4: Stage 2 Flowchart
- Appendix 5: Stage 3 Flowchart
- Appendix 6: Stage 3 Disciplinary Checklist
- Appendix 7: Appeals Flowchart
Suspected breach of Student Code of Conduct

Informal action including discussion with student and setting out expectations

Brief notes recorded using local processes outlining discussions

Student given informal warning and advised no further action will be taken, unless misconduct continues or escalates

Repeated low level misconduct may result in initiation of subsequent disciplinary procedures
Appendix 3: Stage 1 Formal Disciplinary Process

1. Member of staff reports suspected breach of Student Code of Conduct or student has ignored previous informal warnings

2. PAT discusses with student and considers the allegation alongside student’s behaviour to date

3. PAT discusses with other staff/students, taking notes and gathering any relevant evidence

4. PAT can issue a verbal warning to the student if they are satisfied that a breach of the Student Code of Conduct has taken place

5. Student is notified of effect of behaviour on their own study and others, and warned that further misconduct may lead to Stage 2

6. Student will receive official notification of the formal verbal warning, which will remain in place for the academic year

7. Where appropriate the reporting member of staff will receive feedback from the PAT

8. Student have the right to appeal under specific circumstances
Appendix 4 - Stage 2 Formal Disciplinary Process

Member of staff reports suspected serious breach of Student Code of Conduct or student has ignored formal verbal warning

PAT discusses with student and considers the allegation alongside student’s behaviour to date

PAT discusses with other staff/students, taking notes and gathering any relevant evidence

PAT can issue a written warning to the student (agreed in advance with senior member of staff) if they are satisfied that a breach of the Student Code of Conduct has taken place

Student is notified of effect of behaviour on their own study and others, and warned that further misconduct may lead to Stage 3

Student will receive official notification of the formal written warning, which will remain in place for the academic year

Where appropriate the reporting member of staff will receive feedback from the PAT

Student have the right to appeal under specific circumstances
Investigation

Consideration should be given by senior staff as to whether precautionary action should be taken.

Appropriate member of staff appointed as Investigating Officer by relevant AP.

Investigating Officer establishes if student or any witnesses have PLSP and make assessment on PLSP’s impact on their experience of investigation.

Student suspected of breach is provided with copy of Disciplinary Procedures.

Investigating Officer collects evidence and interviews all relevant parties. Copy of interview notes to be signed by interviewee for verification.

Investigating Officer completes Stage 3 Disciplinary Checklist, evidence and a recommendation on whether there is a case to answer to relevant AP.

Relevant AP makes a decision on whether to proceed to a disciplinary hearing or not.

Appendix 5: Stage 3 Formal Disciplinary Process (Page 2 of 2)

Disciplinary Hearing

Hearing should take place within ten working days of Investigating Officer making their recommendation.

Hearing Panel should consist of three members plus a scribe, including a senior member of staff capable of deciding if a student should be withdrawn or excluded.

The panel should consider all evidence and arrive at a decision. Should they not be able to reach a decision they may consult with other staff.

If a student declines to attend an interview or hearing the hearing will take place regardless to consider the findings and reach a conclusion.

Investigating Officer establishes if student or any witnesses have PLSP and makes assessment on PLSP’s impact on their experience of investigation.

Outcome

The student being investigated must be informed in writing within three working days of the meeting.

The student has the right to appeal against the outcome in specific circumstances.

A copy of all evidence, the outcome letter & hearing report should be sent to the Student Services Manager. Any sanction should be recorded on the student’s record & any warning will remain in place for a period deemed appropriate.
**Stage 3 Formal Disciplinary Process – Investigating Officer’s Checklist**

This checklist should be used when conducting the Stage 3 Disciplinary Process.

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<th>Details of previous Formal Disciplinary Process Events</th>
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<td>Absence Record</td>
</tr>
<tr>
<td>Academic Performance / Progress / Engagement</td>
</tr>
<tr>
<td>Chronology of events leading to suspension</td>
</tr>
<tr>
<td>Summary of witness statements (attach statements as additional sheets)</td>
</tr>
</tbody>
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<table>
<thead>
<tr>
<th>Is there evidence of a case to answer?</th>
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<tbody>
<tr>
<td>Next Steps Recommendation</td>
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<td>---------------------------</td>
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<tr>
<td>Investigating Officer Signature</td>
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<tr>
<td>Date</td>
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Disciplinary Meeting is to be scheduled within ten working days of the Investigating Officer submitting this form.
Student may appeal against any disciplinary action taken against them. Appeals will only be considered on the following grounds:

- Disciplinary Process was not followed
- That there was prejudice and/or bias on the part of the Investigating Officer or any Disciplinary Hearing Panel members which affected the outcome
- That the disciplinary action imposed is thought to be disproportionate to the offence
- That there is new evidence which could not have been made reasonably available during the original determination

Appeals must be made in writing to appropriate member of staff within **five working days** of receiving the outcome of disciplinary action.

Appeals must state the grounds on which the appeal is being made from the four options above. No other grounds for or means of appeal will be considered.

Appeals will be considered by an appropriate member of staff, who will respond to the student within five working days of receiving the appeal.

Once the outcome has been decided there is no further recourse to appeal.