

Student Code of Conduct and Disciplinary Procedure

Policy and Procedures

Quality Assurance Benchmarking		
This policy and procedure maps to the following external quality assurance frameworks:		
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1. POLICY STATEMENT

West Dean College endeavours to create a positive learning environment for all students and staff. This is based upon a friendly and caring culture of mutual respect and support.

2. GENERAL PRINCIPLES

- 2.1 The Code of Conduct set out below is applicable to all students of the College while they are in their student roles.
- 2.2 The Code has general application. It should be read in conjunction with relevant specific regulations and policies such as those covering academic requirements or regulations for accommodation (such as course handbooks and the Residential Code of Conduct).

3. CODE OF CONDUCT

The following code of conduct is designed to preserve and maintain the College's supportive culture and to safeguard respect for the rights of all members of its community.

- 3.1 At all times students are expected to act in a reasonable and orderly manner with due regard to other people and their property. Students should not disrupt the life of the College to the detriment of others.
- 3.2 The College will not tolerate any form of harassment or bullying by its students, employees or by others having dealings with the organisation. A detailed policy, which includes the process for raising concerns or complaints, is available from the Student Intranet, Course Handbook and Student Handbook.
- 3.3 As part of the Edward James Foundation West Dean College is committed to equality of opportunity for its staff and students. It values their diversity and strives to create a positive and inclusive atmosphere based on respect for others in which people are actively encouraged to reach their full potential.
- 3.4 Students are expected to attend lectures and visits, in accordance with the requirements of their programme, and submit work as and when required.
- 3.5 Students are expected to undertake their academic work with integrity and honesty and not seek to gain advantage over other students by unfair or improper means.
- 3.6 Students must turn off mobile phones before entering workshops, lecture rooms, the library and computer suite, and are not permitted to take a mobile telephone into an examination.
- 3.7 Student must abide at all times by the Health & Safety regulations and fire instructions.

- 3.8 Students must not wilfully engage in conduct which prejudices the effective provision of the programme of study.
- 3.9 No student shall forge, falsify or misuse any College record or document.
- 3.10 Students must not wilfully engage in conduct which prevents, obstructs or disrupts the holding or orderly conduct of any meeting or other lawful assembly in the College.
- 3.11 Property must be respected whether it belongs to the College, to the West Dean College Student Association or to individuals. It must not be moved without due authorisation, or damaged.
- 3.12 Students may not sell goods or services on College premises without prior approval of the Director of Education.
- 3.13 The use of illegal drugs and abuse of intoxicating substances on College premises is strictly forbidden.
- 3.14 Any breach of the student code of conduct is deemed to be a matter for disciplinary action. The procedure will follow the course of action written in the section below (**Disciplinary Procedure**).
- 3.15 Any form of **academic misconduct**, including plagiarism, will be dealt with in accordance with published procedures, these are to be found on the Student Intranet and on the College website and form part of the Assessment Policy and Procedure.

4. DISCIPLINARY PROCEDURE

The Disciplinary Procedure is divided into 5 stages:

- i) Stage 1: Initiation of the Disciplinary Procedure
- ii) Stage 2: Initial Investigation
- iii) Stage 3: Referral to the Director of Education
- iv) Stage 4: Disciplinary Panel hearing
- v) Stage 5: Appeal against the findings of the Director of Education

4.1 Stage 1: Initiation of the Disciplinary Procedure

4.1.2 The College may initiate the disciplinary procedure where it considers that there has been alleged act of breach of the Student Code of Conduct, howsoever that concern has been brought to the attention of the College.

4.1.3 Whenever possible, the College believes that minor allegations that a student has breached the Student Code of Conduct should be dealt with informally between the individuals involved. Where a satisfactory resolution is not possible by this approach or the allegation is of a serious nature, the allegation should be brought to the attention of the Academic Registrar in writing. The Academic Registrar will endeavour to acknowledge receipt of the allegation within 3 working days.

4.1.4 Such allegations will be the subject of an Initial Investigation (see below, paragraph 4.2) and where appropriate, referral onwards for a hearing before a Disciplinary Panel led by the Director of Education and comprising a senior member of teaching staff and a student representative (paragraphs 4.3 and 4.4).

4.1.5 The College has the right to report any criminal offence to the police.

4.1.6 The formal outcome of all disciplinary procedures will be reported to the Academic Board.

4.2 Stage 2: Initial Investigation

4.2.1 The Academic Registrar will undertake an initial investigation to determine the substance of the allegation.¹ This may include taking statements from staff and other students. The student will be informed of the allegation that has been made against them at the earliest opportunity and provided with a copy of the College's Disciplinary Procedure. The student involved in the allegation may be accompanied by a friend, student representative or other representative to any meetings which they are required to attend to discuss the allegation.

4.2.2 Upon the conclusion of the investigation, the Academic Registrar may take one of the following actions:

- i. dismiss the allegation *or*;
- ii. refer the matter to the Director of Education through submission of a written report summarising the allegation and detailing any statements provided by staff, other students or any other relevant individuals relating to the allegation.

4.2.3 The outcome of the decision of this stage of the disciplinary procedure will be communicated to the student within working ten days of the student being formally informed of the allegation.

4.2.4 If the allegation is dismissed at this stage, no record will be kept of the investigation in the student's file.

4.2 Stage 3: Referral to the Director of Education

4.3.1 The Director of Education may take one of the following actions:

- i. dismiss the allegation *or*;
- ii. convene and chair a Disciplinary Panel hearing with another senior manager and a student representative.² No person who has been involved in the events that have led to a meeting of a Disciplinary Panel, or who are deemed by the Chair of the Panel to have an involvement in the case, will be eligible to serve.

¹ Should the nature of the alleged breach of the Code of Conduct make the Academic Registrar's objectivity difficult, the Quality Manager will deputise.

² Should the nature of the alleged breach of the Code of Conduct make the Director of Education's objectivity difficult, a second senior manager will be appointed in their place. The College Chief Executive shall nominate the Chair in this instance.

4.3.2 If the allegation is dismissed by the Director of Education or nominated senior manager, the student will be informed within five working days of the decision.

4.3.3 If the allegation is upheld, the Director of Education or nominated senior manager will inform the student within five working days of the decision to hold a Disciplinary Panel hearing.

4.4 Stage 4: Disciplinary Panel hearing

4.4.1 The person against whom the allegation has been made will be summoned to appear at a hearing of the Panel to answer charges against him or her.

4.4.2 A student requested to appear before the Disciplinary Panel to discuss the allegation has the right to be accompanied by a friend or a representative and shall be given in writing not less than five working days' notice of the hearing, along with a copy of the Academic Registrar's initial report as described in 4.2.2 above.

4.4.3 The outcome of the hearing can be anything from a formal warning to exclusion from the College and termination of studies. The outcome will be proportionate to the consequences of the misdemeanour and may include expenses to recover any material costs if applicable.

4.4.4 The approval of an Assessment Board (or a representative group of at least 3 members of an Assessment Board) is required to terminate a student's study at the College for any of the following reasons:

- Academic failure (**Student Assessment and Academic Misconduct Policy**)
- Non-attendance (**Student Assessment and Academic Misconduct Policy**)
- Academic misconduct (**Student Assessment and Academic Misconduct Policy**)
- Breaching of the Student Code of Conduct
- Failure to pay fees or debts

4.4.5 Students are notified by the College immediately following a decision to terminate their studies. Students are given 48 hours to collect their personal belongings, vacate their room and leave the College. Under these conditions, a student may seek and be offered counselling advice from the College. The student may appeal against such a decision under the terms of section 4.5 below.

4.4.5 The Director of Education or nominated senior manager will normally inform the student of the outcome of the Disciplinary Panel hearing in writing within five working days of it having taken place.

4.5 Stage 5: Appeal against the findings of the Disciplinary Panel

4.5.1 A student may lodge an appeal against the findings of the Disciplinary Panel to the Chief Executive in writing setting out the full grounds for appeal within twenty five working days of being informed of the outcome of the Disciplinary Panel on the following basis only:

- i) that the finding should be overturned in the light of new evidence; *or*
- ii) that the original hearing was not conducted fairly; *or*
- iii) that the finding of guilt was unreasonable in the light of the findings of fact; *or*
- iv) that the penalty was too severe in the circumstances.

4.5.2 If grounds for the appeal are accepted, the Chief Executive may choose to investigate or appoint an appropriate senior nominee to review the findings in whatever reasonable manner he/she sees fit. If the grounds for appeal are refused the student will be issued a Completion of Procedures letter within five working days of the Chief Executive's decision.

4.5.3 A student requested to appear before the Chief Executive or senior nominee to discuss the allegation has the right to be accompanied by a friend, supporter from the West Dean College Student Association or a representative and shall be given in writing not less than five working days' notice of the hearing.

4.5.4 There will be no entitlement to a re-hearing of the case, which will be allowed only in exceptional circumstances. The Chief Executive (after consultation with the senior nominee if appointed) may impose a lesser or greater penalty, having considered whether the original penalty imposed was fair and reasonable in light of all the circumstances of the case.

4.5.5 The Chief Executive will inform the student in writing within five working days of the conclusion of the investigation of his/her findings. The Chief Executive's decision is final in respect of an appeal against the findings of the Disciplinary Panel and/or the penalty imposed; there is no further right of appeal.

4.5.6 The student will be issued a Completion of Procedures letter within five working days of the Chief Executive's decision.³

4.5.7 Students wishing to make an appeal against a decision of the Academic Board or a complaint relating to services or staff should consult the College's Student Complaints and Academic Appeals Policy.

4.6. Office of the Independent Adjudicator

4.6.1 Where a student is dissatisfied with the outcome of the University's disciplinary procedure, s/he may refer the outcome of the case, as a complaint, to the Office of the Independent Adjudicator for Higher Education (OIA).

4.6.2 The OIA provides an independent scheme for the review of unresolved student complaints. The complaint must be submitted to the OIA within 3 months from the date of issue of the Completion of Procedures letter.

5. OVERVIEW RESPONSIBILITIES

Review and update	Responsible	Timescale/Notes
Policy review and update	Quality Manager (QM)	
Code of Conduct	Students and College Staff	All students and staff to be aware of and understand the Code to ensure that it is followed.
Disciplinary Procedure		
Initiation of the Disciplinary Procedure	College Staff	Where possible, informal resolution to be attempted in the first instance

³ <http://www.oiahe.org.uk/media/100365/completion-of-procedures-letter-guidance-july-2015.pdf>

Initial Investigation	Academic Registrar (AR)	AR to respond to written allegation within 3 working days. Outcome of initial investigation to be communicated to student within 10 working days of first notification
Referral to the Director of Education (DoE)	Academic Registrar	Within 10 working days of first notification
Disciplinary Panel hearing	Director of Education as Chair	Panel Chair to inform student within 5 working days if a hearing will take place or if the allegation has been dismissed. Student to be provided with at least working 5 days' notice to prepare for hearing together with report from initial investigation. Outcome of hearing to be communicated to student within 5 working days of hearing.
Appeal against the findings of the Disciplinary Panel	Student	Student appeal possible within 25 working days of date of outcome communication made to student.
	Chief Executive (CE)	CE to respond within 5 working days to indicate if decision upheld or to be reviewed. If a hearing occurs the decision and (if applicable) the Completion of Procedures letter will be communicated to the student within 5 working days.
Office of the Independent Adjudicator (OIA)	Students	Students may appeal to the OIA within 3 months from the date of issue of the Completion of Procedures letter.