



# STUDENT DISCIPLINARY PROCEDURES & APPEALS POLICY

## 1. **Statement of Policy**

The welfare and well-being of all users of the College depends upon the reasonable and disciplined behaviour of College members. The standards of conduct, attendance and work performance expected from all students are outlined in the Student Handbook.

The disciplinary process is designed to help students achieve and maintain the high standards set by the College.

The aim is to ensure consistent and fair treatment for all by setting out the action that will be taken if the College rules are broken. The College will thoroughly investigate all incidents and, in making judgements as to the appropriate course of action, apply the principle of 'balance of probability', based on the evidence available. The College is not required to prove 'beyond reasonable doubt'. This means any decision will be based on what they consider to be correct, based on the evidence seen.

## 2. **Scope**

The policy applies to all students of the College, regardless of mode of attendance, at any time they are engaged in College activities – whether they are on or off site.

## 3. **What the Policy Covers**

**Behaviour & Conduct:** any instance where a student is not meeting the required standards outlined by the College as stated in the Code of Conduct, which can be found in the Student Handbook, or any instance of the student not meeting standards that could be reasonably expected.

**Academic Performance:** any instance where a student is willfully failing to meet the required standard to pass the course, such as poor attendance or failure to comply with assignment deadlines as set out in the Learning and Teaching Assessment Policy.

#### **4. General Principles**

The College expects students to take responsibility for their learning and actions and behave in a mature and appropriate manner at all times while involved in College activities. The College reserves the right to take disciplinary action against students where behaviour falls short of those expected standards.

All students are made aware of their responsibilities and the College's expectations of them as part of their induction. During induction students are made aware of:

- College Rules and Regulations/Policies
- Student Terms and Conditions
- Student Handbook

The disciplinary rules set out the standards of performance and behaviour whilst the procedures are designed to help promote fairness and order in the treatment of individuals. It is our aim that the rules and procedures should emphasise and encourage improvements in the conduct of individuals, where they are failing to meet the required standards.

The College understands that some disciplinary procedures can be difficult for a student to comprehend, particularly if they feel that the allegations are unfair or unjustified. Students will be given the opportunity to respond to all allegations and the college expects the student to engage directly with college staff in a way that is mature and respectful. It is accepted that in addressing cases of student discipline, issues relating to pastoral care and welfare of the student may arise and that these shall be treated with sensitivity and confidentiality.

As an ambassador for PPA, student behaviour is not confined to only when in the College building, but also includes incidences that could be considered to put other students or staff at risk or bring the College into disrepute, e.g. allegations of disrespectful behaviour that impacts directly on the reputation of the College, assault or involvement in illegal substances. This also relates to falsifying or sharing misinformation with third parties or online, including social media, regarding the College which could damage its reputation.

The need for disciplinary action is kept to a minimum by ensuring that students are made fully aware of their responsibilities and ensuring that when issues arise, support measures are put in place to enable students to move forward with their studies.

Each case will be addressed promptly and efficiently as possible and at the level appropriate to the nature of the offence. It will be dealt with fairly and equitably with due regards to the individual circumstances of each case.

If there is a genuine reason to believe that a student has committed a criminal offence, the Head of Faculty and Education will refer the matter to the police as appropriate and consider whether suspension of the student would be in the best interests of the College and/or other students.

**The police will be called in the event of any allegations of violence, assault or substance dealing.**

## **5. Disciplinary Rules and Procedures**

### Unsatisfactory Conduct and Misconduct

Examples of unsatisfactory conduct or misconduct are as follows. This list is non-exhaustive:

- a) Failure to adhere to general health & safety rules as listed in the Health & Safety Policy
- b) Falling below the 80% minimum required attendance level
- c) Persistent poor time keeping
- d) Unsatisfactory standards of behaviour as set out in the PPA Students' Code of conduct
- e) Rudeness towards other students, staff members or visitors, insulting behaviour or bad language towards other students, staff members or visitors
- f) Unauthorised use of computer and internet
- g) Failure to follow reasonable instructions and follow rules and procedures
- h) Failure to report immediately any damage to property or premises caused by the student
- i) Making derogatory remarks about PPA, its staff or students on any public, private or social network

There may be situations when a minor offence can be dealt with informally i.e if there has been a misunderstanding or where a student admits the allegation, expresses genuine regret at having committed the offence and the matter has been resolved.

### Serious Misconduct

Where one of the unsatisfactory conduct/misconduct rules has been broken and if, upon investigation, it is shown to be due to avoidable extreme carelessness or has

had a substantial effect upon the College or its reputation, the student may be issued a final written warning in the first instance.

The student may receive a final written warning as the first course of action, if, upon investigation in an alleged gross misconduct disciplinary matter, there is shown to be some level of reducing the severity, resulting in it being treated as an offence just short of dismissal. The College must follow the formal disciplinary procedures as set out below.

### Gross Misconduct

Occurrences of gross misconduct are very rare because the penalty is dismissal without notice and without any previous warning being issued. It is not possible to provide an exhaustive list of examples of gross misconduct. However, any behaviour or negligence resulting in a fundamental breach of the Code of Conduct that irrevocably destroys the trust and confidence necessary to continue with training will constitute gross misconduct. Examples of offences that will normally be deemed as gross misconduct include serious instances of:

- a) Theft or fraud
- b) Physical violence, bullying, harassment
- c) Sexual misconduct (which includes assault, sharing sexual images and making inappropriate insinuations/comments)
- d) Deliberate damage to property
- e) Deliberate acts of unlawful discrimination or harassment
- f) Possession, or being under the influence of illegal substances at College
- g) Consumption of alcohol on PPA's premises prior to and/or during College hours
- h) Breach of health and safety rules that endangers lives of, or may cause serious injury to other students, staff members or visitors or any other person

The College must follow the formal disciplinary procedures as set out below.

## 6. Disciplinary Procedures

Every effort will be made to ensure that any action taken under the disciplinary procedure is fair, with the student being given every opportunity to state their case and appeal against any decision considered to be procedurally incorrect or unjust.

The procedure should be proportionate at all stages, taking into account the alleged misconduct and possible outcomes and should proceed as follows:

The disciplinary procedure consists of four stages:

**Stage 1:**

A meeting will be arranged between the student, the Head of Faculty and Education and the Course Leader.

The issue will be discussed, and if appropriate, a verbal warning will be issued. A record of discussion will be made and kept on the student's file until the end of their course. If there is no improvement, then stage two will be implemented.

**Stage 2:**

A second meeting will take place with the Head of Faculty and Education, the student, and the Course Leader and a written warning will be issued. A copy of the letter will be kept on the student's file until the end of the course. If no improvement is seen, then stage three of the procedure will occur.

**Stage 3:**

A final meeting will take place with the Head of Faculty and Education, the student, and the Course Leader and a final written warning will be issued. The student will be informed of the severity of the situation and the warning will state that if the issue is not addressed immediately, they are likely to face withdrawal from the course. A copy of the letter will be kept on the student's file until the end of the course. If no improvement occurs, then stage four of the procedure will be implemented.

**Stage 4:**

The student will receive a letter of withdrawal from the course. DMU students will be referred to the board of DMU.

## **7. Appeal**

Students will have the right to appeal to the disciplinary action taken against them.

The appeal should be made in writing to the person indicated in the Disciplinary Outcome letter within five working days of the letter being received.

An appeal against a formal warning or dismissal should give details of why you feel the penalty issued is too severe, inappropriate or unfair in the circumstances.

The appeal hearing will usually be conducted by the Head of Faculty and Education, Senior Management, or someone who was not previously connected with the process so that an independent decision into the severity and appropriateness of the action can be made. The student may bring a friend or fellow student to this meeting with them to provide support.

The result of the appeal will be communicated in writing, normally within five working days of the hearing taking place.

## 8. Disciplinary Action and Outcome

The following chart provides details of possible offences and sanctions

OFFENCE	FIRST INSTANCE	SECOND INSTANCE	THIRD INSTANCE	FOURTH INSTANCE
Unsatisfactory Conduct	Verbal Warning	Written Warning	Final Written Warning	Suspension or Expulsion
Misconduct	Written Warning	Final Written Warning	Suspension or Expulsion	
Serious Misconduct	Final Written Warning	Suspension or Expulsion		
Gross Misconduct	Expulsion			

Formal Verbal Warning: This will normally be disregarded for disciplinary purposes after a three-month period. Any member of staff can and should deal with unsatisfactory conduct and misconduct issues.

Written Warning: This will normally be disregarded for disciplinary purposes after six months. Course Leaders are responsible for issuing a Written Warning.

Final Written Warning: This will normally be disregarded for disciplinary purposes after twelve months. The Head of Faculty and Education is responsible for issuing a Final Written Warning.

## 9. Suspension and Expulsion of Students

In the event of suspension or expulsion, and where it is considered that the student may pose a risk to him/herself, the College or the conductor of an investigation, the Head of Faculty and Education or relevant staff, may, if appropriate, authorise a suspension of a student for up to ten working days. The student, and parents if under 18, must be informed in writing within 24 hours of the reason for suspension, the restrictions this places on them and advised of the disciplinary hearing date.

Suspension and Expulsion bars a student from all college activities (on or off site), prohibits access to college facilities and premises and any external events or activities held on college premises without prior written permission from the Head of Faculty and Education. All suspensions should be notified to Senior Management team.

Suspension for non-payment of Fees: In the event that a student fails to pay the required course fees, and once legal action has reached small claims action, a student may be suspended from their course by the CFO via the Head of Faculty and Education and/or certificates withheld until the full debt is recovered or they have agreed a mutually acceptable method of payment in writing with the CFO.

The College reserves the right to amend these rules and procedures as and when appropriate.

**Policy Updated: September 2023**

**Policy Review Due: February 2024**