



PPA Student Disciplinary Procedures & Appeals Policy

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 referred to 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”.

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. For those students on the degree course please find further information via the below link regarding the collaborative partners disciplinary procedure which may or may not be used in specific cases

<https://www.dmu.ac.uk/documents/dmu-students/academic-support-office/5.-chapter-2-18.19.pdf>

THIS POLICY COVERS THE FOLLOWING:

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

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.

The College reserves the right to take disciplinary action against students for incidents not directly related to College that could be considered to put other students or staff at risk or bring the College into disrepute e.g. allegations of assault or involvement in illegal drugs.

INTRODUCTION

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 need for disciplinary action is kept to a minimum by ensuring that students are made fully aware of their responsibilities as students and ensuring that when things do go wrong, support measures are put in place to enable students to get back on track.

All students should be made aware of their responsibilities and the College’s expectations of them as part of their induction through discussion of:

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

DISCIPLINARY PROCEDURES

The rules set 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, and not seen merely as a punishment.

We reserve the right to amend the rules and procedures where appropriate.

Every effort will be made to ensure that any action taken under this procedure is fair, with you being given every opportunity to state your case and appeal against any decision that you consider to be unjust.

The following rules and procedures should ensure that:

- a) The correct procedure is used when requiring you attend a disciplinary hearing;
- b) You are fully aware of the standards of performance, action and behaviour required of you;
- c) Disciplinary action, where necessary, is taken speedily and in a fair and consistent manner;
- d) You will only be disciplined after careful investigation of the facts and the opportunity to present your side of the case.
- e) If you are disciplined, you will receive an explanation of the penalty imposed and you will have the right to appeal against the finding and penalty.

DISCIPLINARY RULES

It is not practical to specify all offences that may result in disciplinary action, as they may vary depending on the nature of the alleged offence.

RULES COVERING UNSATISFACTORY CONDUCT AND MISCONDUCT

You will be liable to disciplinary action if you are found to have acted in any of the following ways:

(These are examples only and not an exhaustive list).

- a) Failure to adhere to general health & safety rules as listed in the Health & Safety Policy;
- b) Persistent poor time keeping or absenteeism;
- c) Unsatisfactory standards of behaviour as set out in the PPA Students' Professional Code of Conduct;
- d) Rudeness towards other students, staff members or visitors, insulting behaviour or bad language;
- e) Failure to devote your full time and attention to the college and its affairs during your normal class hours;
- 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 you;

RULES COVERING SERIOUS MISCONDUCT

Where one of the unsatisfactory conduct/misconduct rules have been broken and if, upon investigation, it is shown to be due to your extreme carelessness or has had a serious substantial effect upon the College or its reputation, you may be issued a final written warning in the first instance.

You may receive a final written warning as the first course of action, if, in an alleged gross misconduct disciplinary matter, upon investigation, there is shown to be some level of reducing the severity, resulting in it being treated as an offence just short of dismissal.

RULES COVERING 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 Professional 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; Sexual misconduct (which includes assault, sharing sexual images and making inappropriate
- c) Deliberate damage to property;
- d) Deliberate acts of unlawful discrimination or harassment;
- e) Possession, or being under the influence of illegal drugs at College;
- f) Consumption of alcohol on PPA's premises prior to and/ or during College hours;
- g) 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 above examples are illustrative and do not form an exhaustive list).

DISCIPLINARY PROCEDURE

Disciplinary action taken against you will be based on the following procedure:

OFFENCE	FIRST INSTANCE	SECOND INSTANCE	THIRD INSTANCE	FOURTH INSTANCE
Unsatisfactory Conduct	Formal 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			

All formal invites to disciplinarys will make students aware of the opportunity to bring with them a friend, family member if under 18 years of age or suitable student representative.

Formal Verbal Warning

A formal verbal warning 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

A written warning will normally be disregarded for disciplinary purposes after six months.

Course Leaders are responsible for issuing a Written Warning.

Final Written Warning

A final written warning will normally be disregarded for disciplinary purposes after twelve months.

The Vice Principal is responsible for issuing a Final Written Warning.

SUSPENSION 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 conduct of an investigation, the Vice Principal, Principal or relevant staff may, if appropriate, authorise a suspension of a student for up to 10 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 Vice Principal. 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 Head of Finance via the Vice Principal (following consultation with the Principals) and/or certificates withheld until the full debt is recovered or they have agreed a mutually acceptable method of payment in writing with the Head of Finance.

CRIMINAL OFFENCES

If there is a genuine reason to believe that a student has committed a criminal offence, the Vice Principal 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 drug dealing.

DISCIPLINARY APPEALS PROCEDURE

You have the right to appeal to the disciplinary action taken against you.

The appeal should be made in writing to the person indicated in your Disciplinary Outcome letter within 5 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 Principal or Senior Manager was not previously connected with the process so that an independent decision into the severity and appropriateness of the action can be made. You are entitled to bring a fellow student to this meeting with you.

The result of the appeal will be made known to you in writing, normally within five working days of the hearing taking place.

Policy Approved: August 2019

Due for Review: August 2020