

DISCIPLINARY PROCEDURE FOR ALL STUDENTS

1 PURPOSE AND SCOPE

The purpose of this procedure is to ensure that reasonable standards of conduct and performance are maintained in a manner that is fair to all. The procedure applies to all students registered through SMO.

2 PRINCIPLES

The following principles will apply in the operation of the Procedure:

- a) The aim of the procedure is to correct conduct or performance which falls below the required standards and to provide for reasonable opportunities for improvement in all but the most serious cases of misconduct.
- b) No decision on disciplinary action will be taken until there has been a full investigation of the facts including giving the student the opportunity to explain his/her actions or state his/her case.
- c) **The college will take a supportive approach to helping students understand the implications of inappropriate conduct and establish positive alternatives**
- d) No student will be excluded for a first breach of discipline except in the case of GROSS MISCONDUCT when the penalty will normally be summary exclusion, i.e. exclusion without notice.
- e) At each stage the student has the right to be accompanied by a fellow student, friend or any other representative, of his/her own choice.
- f) Formal warnings will state the offence or improvement required and the likely consequences of further offences or failure to make the improvement.
- g) At each stage, until the final stage, the student has the right of appeal to a higher level of management.

3 DISCIPLINARY ACTION

The actions at the disposal of the College are counselling, oral or written warnings or exclusion (with or without notice).

4 THE PROCEDURE

The basic responsibility for maintaining discipline and ensuring satisfactory attendance and performance lies with individual module lecturers who may at any time discuss informally with the student any minor breach of conduct or unsatisfactory performance

a) Stage 1 - Oral Warning

If conduct or performance does not meet acceptable standards the student will be interviewed by an appropriate lecturer, who, if not satisfied with the explanation put forward, will issue an oral warning which will be recorded on the student's record and a signed acknowledgement obtained from the student.

b) Stage 2 - Written warning

If conduct or performance is still unsatisfactory the student will be interviewed by an appropriate senior lecturer, who, if not satisfied with the explanation put forward, will issue a written warning setting out the reasons for the action which warning will be entered on the student's record and a signed acknowledgement received from the student.

c) Stage 3 - Final Written Warning

If conduct or performance is still unsatisfactory the student will be interviewed by an appropriate Course Leader or other College Officer who, if not satisfied with the explanation put forward, will issue a final written warning giving details of the offence and advising the student that any further infringement of the rules will result in exclusion. Details of this warning will be entered on the student's record and a signed acknowledgement received from the student.

d) Stage 4 - Exclusion

Should conduct or performance give cause for further complaint the student will be interviewed by the Head of Studies or other Senior College Officer who, if not satisfied with the explanation put forward, will advise the student that he/she is excluded from the course and this will be confirmed in writing to the student within 24 hours of the interview.

e) Serious Misconduct

In the event of a serious breach of discipline Stages 1 and 2 may be omitted and action taken in accordance with Stage 3 of the procedure. Some examples of serious misconduct are shown in paragraph 8.

f) Gross Misconduct

If a student should be found guilty of gross misconduct the penalty for a first offence will normally be summary exclusion i.e. exclusion without notice. Some examples of gross misconduct are shown in paragraph 8.

5 SUSPENSION PENDING AN INVESTIGATION

In cases of alleged misconduct it may be necessary to suspend a student while enquiries and/or procedures are pursued.

6 REMOVAL OF WARNINGS

All warnings are effective for one year from the date of issue of that warning, at which point they will be disregarded.

7 APPEALS

An appeal may be made against a decision taken at any stage of the procedure. All appeals must be lodged in writing with the Head of Studies, within *seven* working days of the imposition of the penalty. Arrangements will be made for the appeal to be heard within fourteen days from receipt of the written appeal. Any member of staff, involved in determining the outcome of the earlier stages in the disciplinary procedure, will not participate in a decision on an appeal.

8 CATEGORIES OF MISCONDUCT

The following are examples of various types of misconduct. These lists should not be regarded as exhaustive, nor does it imply that the College will not take action in accordance with its rights and duties under criminal law.

Misconduct - Dealt with under Warnings Procedure

- (i) Poor time keeping
- (ii) Unauthorised absence
- (iii) Time wasting
- (iv) Failure to notify promptly reasons for absence
- (v) Poor quality of work
- (vi) Failure to attend Awareness Raising/Training Events as required.**

Serious Misconduct - Action taken at Stage 3 of Procedure

- (i) Disregard of College authority
- (ii) Misuse of College resources
- (iii) Absence without leave or without valid medical certificate
- (iv) Gambling, betting or money lending on College premises except with PRIOR permission to organise raffles, sweepstakes etc.
- (v) Careless working practices
- (vi) Bringing the College into disrepute
- (vii) Failure to complete due work
- (viii) Failure to observe the normal courtesies towards staff and other students**
- (ix) **Failure to comply with the College's Equalities Policies and current equalities legislation, including behaviour that is bullying, discriminatory, harassing or victimising of others** on grounds of age, disability, gender, race, religious faith and belief or sexual orientation.

Gross Misconduct - Action taken at Stage 4 of Procedure

- (i) Deliberate non-compliance with safety rules
- (ii) Theft from the College or staff/students of the College
- (iii) Wilful and/or malicious damage to College or personal property
- (iv) Assault and/or fighting and/or sexual misconduct on College premises
- (v) Unauthorised consumption of alcohol during college working hours
- (vi) Representing or acting on behalf of the College while under the influence of alcohol or drugs
- (vii) Serious failure to observe the normal courtesies towards staff and other students.
- (viii) Repeated or serious failure to comply with the College's Equalities Policies and current equalities legislation including behaviour that is discriminatory, harassing or victimising of others** on grounds of age, disability, gender, race, religious faith and belief or sexual orientation.