



BREACH OF STUDENT CODE OF CONDUCT PROCEDURES

Responsible Officer

Assistant Director of People Services and Communications

Introduction

The following procedure applies to breaches of the Student Code of Conduct.

Breach of the Code of Conduct Procedure

Allegations or complaints should be brought to the attention of the Course Manager.

The handling of the complaint will depend on the nature and severity of the issue, as well as the conduct of the student (s) involved.

Informal resolution

In some circumstances, it may be possible to resolve the complaint informally without considering whether it is necessary to proceed to investigation.

If the complainant and other individual(s) concerned agree to this and it appears that informal resolution is appropriate, an informal resolution can be sought at that stage. It may be for example, in less serious allegations that an apology or a meeting between the individuals may resolve the issue. However, informal resolution is unlikely to be appropriate if the allegation is serious or the individuals concerned do not agree.

Initial assessment

If informal resolution is not appropriate or possible, the Course Tutor will make initial enquiries so that they can reach a decision about whether the matter should be formally investigated.

Concerns will be investigated by the Course Tutor or other person(s) appointed on their behalf.

Investigation

If the Course Tutor or other appointed person assesses that an investigation is appropriate, an investigation will take place.

The investigation will consider:

- If the alleged breach is supported by evidence
- The severity of the allegations

The Course Tutor or other person appointed on their behalf may decide at this stage that:

- There is insufficient evidence and the matter is closed.
- There is sufficient evidence and the matter should be put before a formal panel.



- The matter is so severe that the student under investigation is suspended from attending the Academy until the matter is heard by a formal panel.

Formal Hearing

If a formal hearing is deemed necessary, the following procedures will apply:

1. The student will be invited, a minimum of five working days' notice beforehand, to a formal panel to discuss the allegation, complaint(s). The invite will outline the nature of the allegation or complaint.
2. The Panel will be made up of three managers.
3. The Panel will meet to consider the report provided by the Course Manager or other person appointed on their behalf. The Panel will not normally take oral evidence at the meeting (but may decide to do so if deemed necessary and appropriate). However, it may require the student concerned, the Course Manager or the person appointed to investigate on their behalf or any other person to attend to answer questions.

After the hearing, the Panel will formally write to the student within 5 working days outlining their decision.

Remedies

Where the Panel finds that the case is not proven, there will be no further action.

Where the Panel finds that a case is proven, the Panel will decide the appropriate remedy to apply:

- **Verbal Warning**
This is applicable for relatively minor issues. A verbal warning will be issued by the Panel and a record kept for the duration of the course. The warning should outline the nature of the misconduct, provide guidance on how conduct should be improved / maintained in future, where appropriate.
- **Written Warning**
This applies for a minor issue, where a verbal warning has already been issued (whether or not for the same type of issue) or for more serious issues. A record will be kept for the duration of the course. The written warning should outline the nature of the misconduct and provide guidance on how conduct should be improved/maintained in future, where applicable.
- **Removal from the Course**
This applies for serious issues. The individual will be excluded from Academy courses with immediate effect. The outcome will be confirmed to the student in writing within five working days of the hearing.



Right of Appeal

If there is a finding of a breach, the student concerned may appeal in writing within 10 working days from the date of the outcome letter.

Where an individual wishes to appeal against a Breach of Student Code of Conduct outcome, they must provide a written response outlining their grounds for appeal within 10 working days of the date of the outcome letter to the Assistant Director - People Services and Communications. For example, appeals may be raised on one of the following grounds:

- **The Policy or Procedure – a failure to follow the policy or procedure had a material effect on the decision or led to an unfair process.**
- **The outcome - the evidence did not support the conclusion reached.**
- **The sanction – was too severe given the circumstances of the case.**
- **New evidence – which has genuinely come to light since the investigation.**

The result of the appeal will be notified to the individual within 10 working days of receipt of their written response. The outcome of the appeal is final.

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- The outcome - the evidence did not support the conclusion reached.
- The sanction – was too severe given the circumstances of the case.
- New evidence – which has genuinely come to light since the investigation.

The result of the appeal will be notified to the individual within 10 working days of receipt of their written response. The outcome of the appeal is final.

We have a duty to inform the CIH and other relevant authorities/regulators, but only after time for the appeal has passed or the appeal process has been completed.

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