



Student Disciplinary Procedure and Code of Conduct

Purpose

At Bedford College we are committed to providing a learning environment in which you can give of your best and participate freely in college activities.

Principles

This student disciplinary procedure is designed to:

- ensure procedural fairness
- encourage all students to meet the standards of conduct, attendance and work performance required by the College
- ensure consistent and just treatment for all regardless of their age, ethnic origin, gender, disability, sexual orientation, marital status, religion or belief
- ensure that the facts are established and the matter is investigated fully before disciplinary action is taken
- ensure that students know what is expected of them
- ensure that students are given access to a fair hearing.

Each case is investigated on its own merits, and decisions are normally based on the balance of probability that an incident did or did not take place.

The procedure applies to all individuals enrolled as a student of the college.

You have the right to be accompanied by a parent, person with parental responsibility or friend at all stages of the procedure, as a supporter. It is your responsibility to contact your supporter. The role of the supporter is to provide moral support and ensure you have understood the process and any questions being asked. It is not the role of the supporter to speak on your behalf.

Equality and Diversity Statement

Bedford College is committed to the promotion and development of equality and diversity. We aim to provide a working and learning environment which values individuals equally regardless of age, disability, ethnic origin, gender, sexual orientation, marital status, religion, belief or trade union membership.

This procedure is implemented in accordance with our policies on equality and diversity, disability and race equality, and students subject to disciplinary investigation or action will not be discriminated against or victimised on any grounds. Records of disciplinary action are monitored by race and gender.

Code of Conduct for Students

The Code of Conduct at Annex A explains how we expect you to behave whilst on college premises or taking part in College activities. We also reserve the right to investigate incidents which occur off-site if they are between two (or more) students, or student(s) and staff.

The Code of Conduct lists the College's general expectations in terms of:

- your behaviour
- your attendance and punctuality
- your work/study performance.

If you do not follow the Code of Conduct, disciplinary action may be taken.

Academic neglect

If you fail to meet the required standards of academic performance – for example if you:

- fail to submit work
- submit work late for assessment
- fail to produce work which is original or of an appropriate standard
- are regularly late or absent

then you will be given support to help you improve. If, however, you fail to show an acceptable level of improvement, disciplinary action may be taken.

Gross misconduct

Gross misconduct is generally seen as serious misconduct where the College considers that it is not possible to continue to allow you to study at College or be on College premises.

If proven, it would normally result in your exclusion from the College.

While it is not possible to compile a comprehensive list of offences which can be termed gross misconduct, examples are given at Annex B.

Criminal activity

The College reserves the right to report potentially criminal activity to the police, and/or to advise victims of such activity of their right to do so. If an incident is serious and of a criminal nature we may defer disciplinary action pending the outcome of criminal proceedings. In exceptional circumstances we may also take the decision to suspend you until the outcome of the proceedings is known.

Disciplinary Procedure (see overview at Annex C)

The following procedure will be used if you breach the Code of Conduct:

Informal stage

For non-serious or minor or first instances of misconduct, the academic member of staff may deal with the incident by means of an informal verbal warning. In such instances you will be advised:

- of the College Code of Conduct
- of the standards of behaviour expected
- that any further misconduct will be dealt with formally under the College's Disciplinary Procedure.

Formal Stage

Investigation

A thorough investigation into the alleged misconduct will take place before a disciplinary interview is held or disciplinary action taken. This is likely to involve interviewing and gaining information from staff and students who were involved or witnessed the alleged misconduct. Such investigations will be recorded in writing.

Staff or students have the right to choose not to take part in the investigation. Students involved in the investigation may be accompanied at any investigation interview by a parent or friend.

Outcome and action

The following outcomes of the disciplinary investigation are possible:

- no case to answer
- student offered counselling/support
- allegations appear to be substantiated and there is a case to answer.

Where there is a case to answer, disciplinary action will be taken within the following **disciplinary framework**.

Disciplinary framework

1. Recorded oral warning

In cases too serious for informal action, or where misconduct persists despite an informal warning, you will be given a recorded oral warning.

In such instances the member of staff will:

- issue a copy of these Student Disciplinary Procedures and Code of Conduct
- hold a disciplinary interview with you
- inform your parent (or person with parental responsibility) if you are under 18
- if appropriate, issue you with an oral warning, recorded on a disciplinary record form and signed by you
- retain a copy of the form on your file
- give you a copy of the form
- send a copy of the form to Student Services
- advise you that, if any future misconduct of any kind occurs, you will be disciplined further.

2. First written warning

If further misconduct occurs or if your behaviour does not improve after a recorded oral warning, a first written warning may be given. Alternatively if the misconduct is deemed more serious, we may proceed directly to the first written warning stage.

In such instances the Assistant Director or Director will:

- issue a copy of these Student Disciplinary Procedures and Code of Conduct
- hold a disciplinary interview with you
- if you are under 18, inform your parent (or person with parental responsibility) of the interview
- confirm the outcome in writing within five working days of the disciplinary interview, sending a copy to your parent (or person with parental responsibility) if you are under 18.
- record the action taken
- retain a copy of the record on your file
- send a copy of the record to Student Services.

3. Final written warning

If further misconduct occurs following the previous warnings, a final written warning may be given. Alternatively, where serious misconduct has occurred, you may be given an immediate final written warning.

In such instances the steps detailed for 'first written warning' will be carried out.

Additionally you will be informed that further misconduct or failure to meet the conduct of behaviour and standards expected will result in your exclusion from College.

Details of recorded oral warnings and written warnings will remain on your file for 12 months from the date of the warning being issued. Failure to attend a disciplinary interview may result in a decision being made in your absence.

4. Exclusion from College

If your misconduct persists despite the final written warning, or in instances of gross misconduct (see Annex B), you will be excluded from College.

In such instances the steps detailed for 'written warnings' will be carried out and a disciplinary interview held.

If you are excluded from College you will receive a letter stating the reason for your exclusion and the conditions placed on your future return to College. If you breach the terms of the exclusion, for example by being on College premises without valid reason, your period of exclusion may be extended.

Suspension

In cases where the alleged misconduct is serious and/or it may be detrimental to the smooth running of the course and/or college for you to remain on site, suspension may need to be considered while the case is being investigated.

In such cases you will be informed of the reason for your suspension. This will be confirmed in writing, with a copy to your parent (or person with parental responsibility) if you are under 18.

The period of suspension will be kept to a minimum, but will be no longer than four weeks (unless we are awaiting the outcome of criminal proceedings).

Appeals

Under the disciplinary framework, appeals are permitted at all stages except recorded oral warning. You must submit your appeal in writing, within ten working days of receipt of the warning/exclusion letter. The letter will state to whom the appeal should be made.

The manager conducting the appeal will conduct an appeal interview with you and notify you of the decision in writing within five working days.

Records of disciplinary action

Details of written warnings, exclusions, suspensions and appeals will be notified in writing to the Director of Student Services and held on a central register. Your tutor will also keep a record on your file for 12 months from the date of the disciplinary action.

Lesley Ferguson
Director of Student Services

Approved by the Board of Governors 23 November 2005

Code of Conduct for Students

This Code of Conduct is designed to encourage all students to meet the standards of behaviour, attendance and work performance expected by Bedford College. Whilst it is not possible, or desirable to lay down an exhaustive set of standards, detailed below are general standards which, if broken, could result in disciplinary action being taken.

Students at Bedford College are required to:

- ✓ treat everyone with respect and make sure that their behaviour does not make any other person feel uncomfortable or amount to discrimination
- ✓ be considerate to the rights and interests of other college users
- ✓ attend regularly and punctually all required activities
- ✓ explain to their tutor or lecturer the reason for any non-attendance
- ✓ take personal responsibility for their own learning and make active use of the Library and Student Support Services
- ✓ work hard and complete all assignments within specified deadlines
- ✓ take an active part in reviewing their progress with the support of their tutor
- ✓ seek help from their tutor or Student Services if they need it
- ✓ act safely so that they do not put themselves or others at risk
- ✓ carry their ID card at all times on college premises and be prepared to show it, on request, to any member of the College Staff or Safe Team
- ✓ act with consideration for the College environment and other College users, e.g. by not spitting or dropping chewing gum.

Students at Bedford College must not:

- × behave in a disruptive, aggressive, intimidating or unruly way
- × disrupt or interfere with the education or learning of fellow students
- × display or circulate any material which is designed to cause offence or distress to others
- × misuse college property and equipment, including IT equipment
- × be intoxicated while at college or be incapable of undertaking their course work because of excessive drinking or use of recreational drugs
- × smoke where there is risk of fire, where notices indicate 'No Smoking' or if other smoking restrictions are in force
- × consume or possess toxic, dangerous or controlled substances
- × make or send annoying, obscene, malicious or indecent telephone calls, letters, SMS messages, text messages or emails
- × cause malicious damage to, or theft of, the property of other students, staff or visitors of the College
- × use foul or abusive language
- × gain unauthorised access to, or make modifications to, college files or computer material
- × enter any part of the College to which the student is not entitled access
- × carry any weapon, or any other object with the intention or purpose of use in a threatening way
- × falsify college documents or submit materials or work for assessment which has not been made or authorised by the individual
- × take part in any illegal activity
- × behave in any way which adversely affects the reputation of the College.

Examples of gross misconduct

- Theft or unauthorised possession of any property or facilities belonging to the College or any member of staff or student
- Serious damage deliberately sustained to the property of the College, students, staff or members of the public
- Deliberate falsification of College documentation, records and course work
- Serious negligence which causes unacceptable loss, damage or injury
- Violent, dangerous or intimidatory conduct
- Deliberate violation of the College's rules and procedures concerning health and safety
- Incapacity owing to the consumption of alcohol or misuse of drugs (any prescribed medical treatment or condition will be taken into account when determining what action is appropriate)
- Serious misuse of College property or equipment, including use of photocopiers, phones, faxes and other IT equipment for personal purposes without prior agreement
- Harassment, victimisation or discrimination against another student or staff member on any grounds, including age, disability, ethnic origin, gender, sexual orientation, marital status, religion or belief
- A criminal offence which may adversely affect the College's reputation or the student's suitability to continue on the course, e.g. the supply or purchase of illegal substances
- Repeated breaches of the Code of Conduct.

Overview of disciplinary procedure

Notes



