

STUDENT DISCIPLINARY POLICY

1. Introduction

LCIBS is committed to ensuring the maintenance of a College community and environment in which both learners and staff can work or study to the best of their abilities.

The College culture believes in the idea of mutual respect and co-operation which provides the basis for the orderly conduct of the College community.

The Student Disciplinary Policy provides a framework for student behaviour in order to ensure the proper functioning or activities of the College for those who work or study in the College. The Policy recognises that:

- the College as a community, has obligations relating to the care of, and responsibility for, its members the College has a duty to protect its reputation
- the College is committed to maintaining the values and its mission as stated in its strategic plan.
- The College values excellent teaching and aims to provide a safe learning environment

This Policy should be read in conjunction with the College Student Disciplinary Procedures 2017/18,

2. Commitment

The Student Disciplinary Policy is designed to ensure that students who fail to meet the expectations of the College are treated with consistency and fairly, whilst considering the individual circumstances of each student.

In doing this the College will:

- provide students with a clear understanding of the commitments that they make to their studies, to the College community and its environment through the Student Handbooks and Induction and on an ongoing basis
- ensure that students adhere to College policies and guidelines; in particular, the Learner Agreement, Equality and Diversity Policy and Health and Safety Policy
- ensure that disciplinary action is coupled with support for the student which takes into account their personal circumstances
- allocate duties to College staff appropriate to their level of responsibility and document all actions taken with students

3. Scope

3.1 The Policy aims:

- to establish the boundaries of acceptable behaviour
- to clarify reporting procedures for staff

3.2 The Policy applies:

- to the full academic year 2017/18
- to all learners of the college whether full time or part time
- to all learners studying at the College, whether or not the course or programme of study is validated by or associated with any other institution
- to all learners studying in off-site provision

3. Definitions

4.1 **Misconduct** is defined as any conduct within the College which interferes with, disrupts or obstructs the activities of the College, or of another student or of members of staff of the College in carrying out their duties, or of any other person legitimately on the College premises such as a visitor or supplier of services.

4.2 The following constitute **misconduct** and as such be regarded as disciplinary offences:

- smoking or vaping within any College building, or in any other unauthorised area
- absence without permission or other good reason from scheduled classes. Poor attendance or recurrent lateness which is not justified by illness or other good reason
- failure without good reason to meet assignment deadlines
- breach of College rules such as ID cards not being worn visibly at all times or refusing to show them on request, abusive language and gestures to other students or staff and caps or hoods being worn while on College premises
- eating or drinking in the College Learning Resource Centre, or other unauthorised areas. Water in a sealable, clear container and food and drink required for medical purposes is permitted
- persistent distracting behaviour in the classroom which impedes the learning of self and others
- for international students, non-compliance with UK Border Agency regulations regarding attendance and punctuality, accommodation arrangements or other rules affecting the College's sponsorship of student visas

The above examples are not exhaustive or exclusive and offences of a similar nature will be dealt with as disciplinary offences.

4.3 The following constitute **gross misconduct** and as such are regarded as major disciplinary offences which could lead to the permanent exclusion of a student:

- violent, indecent, disorderly, threatening or offensive behaviour and language whilst on College premises or engaged in any College activity
- breach of the College's policies in relation to the acceptable use of Information Communication Technology; such as abusive or offensive emails, including the use of another person's email; using College computer resources to download material of a pornographic nature from the internet, or in any other way to transmit or retrieve material of this kind
- fraud, deceit, deception or dishonesty in relation to the College or its staff or in connection with holding any office in the College, or in relation to being a student of the College
- academic cheating, including plagiarism, forgery, impersonation and any other form of cheating in assessments or examinations
- action likely to cause injury or impair safety either on College premises or on any other sites associated with the College through its professional or other programmes. This includes assisting unauthorised entry to any College site
- acts of disturbance which threaten the rights and privacy of any staff/students, whilst on College premises, engaged in College activity.
- harassment of any kind, including sexual, homophobic, disability or racial harassment of any student, member of staff or other employee of the College or any authorised visitor to the College, including that committed by electronic or other remote means
- incitement for others to commit self-harm, through use of drink or drugs or as part of group self-harm practices (such as cutting)
- unfounded and malicious complaints brought against a member of the College under the College Student Complaints Procedures
- possession or use of knives, guns or any other item that could be used as an offensive weapon
- possession, use, sale or distribution of alcoholic beverages or illegal drugs (including so called 'legal highs'), or being under the influence of the same, on College premises or at official College sponsored activities off campus. Prescription drugs would fall into this category if they are sold or distributed, or used by someone other than the named person they were prescribed for
- theft or damage, especially malicious or negligent damage, to College property, or theft or damage to property of the College community on College premises or on other premises used by the College. This can include damage to or other interference with computers or software system administration or supplies belonging to the College
- unauthorised use or alteration of College documents or stationery; or fabrication of documents or stationery purporting to be College documents or stationery; or impersonation of College staff, or other persons associated with the College. This includes misuse or unauthorised use of the College name or logo
- committing a criminal offence on College premises or while involved in College activities, or other conduct likely to bring the College into disrepute

The above examples are not exhaustive or exclusive and offences of a similar nature will be dealt with as major disciplinary offences.

5. Procedures

5.1 The stages and procedures to be followed in cases of student misconduct are detailed in the Student Disciplinary Procedure.

These procedures detail the level of seriousness of offences and summarise the actions to be taken at each stage of the procedure and the involvement of staff.

5.2 With the exception of major breaches of the College's expectation, all stages of the appropriate procedures should be adhered to sequentially, beginning with an informal phase, and records kept of all stages in the disciplinary procedure.

5.3 The College's normal practice is to involve parents/guardians of under 18 year old students at the formal stages of the disciplinary process. Exceptionally, upon receipt of a signed request being made by a student (who declares that they have discussed the matter with their parents/guardians/carers), the College will communicate directly with the student, as it will with students over the age of 18.

5.4 The decision to exclude a student following a disciplinary hearing will be made by the relevant Programme Lead. The minimum duration for exclusion is one full academic year. However, for cases of gross misconduct and/or those associated with non-compliance to UK Border Agency regulations the exclusion could be permanent.

5.5 The individual circumstances of any student with a disclosed disability or learning difficulty shall be taken into account fully before any stage of the disciplinary procedure is implemented.

6. Responsibility

6.1 It is the responsibility of all members of staff to report misconduct.

6.2 The lines of responsibility within the student disciplinary policy and procedures follow those of the College management structure.

- Module Tutors are the first point of referral and are responsible for informal disciplinary measures
- For further stages, staff and managers will follow the responsibilities detailed in the disciplinary procedures referred to in Section 5.1
- A member of Senior Leadership Team, Programme Leads and Dean can suspend a student pending a disciplinary hearing
- The programme lead will refer to the Head of Operations when offences constitute a breach of the law
- The Programme Lead of the relevant programme of study will make the final decision whether to permanently exclude a student following a hearing

7. Appeals against Exclusion

- 7.1 Students have the right to appeal against exclusion. If they wish to exercise this right they must inform the Dean in writing within five working days indicating the reason for their appeal. The appeal hearing will take place as soon as possible after notice of appeal has been received by the Dean.
- 7.2 The student will be given at least five working days' notice of the date; time and place fixed for the appeal hearing and will receive notification of the procedure to be adopted at the appeal hearing. The appeal will be heard by the Dean whose decision will be final.
- 7.3 At the appeal hearing, the student will be given an opportunity to state their case and will be entitled to be accompanied by a friend. In the case of students aged under 18, this should be a parent/carer or other adult family member. Additional support for students will be provided as necessary to meet individual needs.

8. Monitoring

The College will report appropriate information to the Senior Leadership Team to assist the effective implementation of the Student Disciplinary Policy and Procedures and to support the monitoring of the College's Equality and Diversity Policy.

9. Review

The College will ensure that adequate resources are made available to promote this policy effectively and will review the policy and procedures on an annual basis.

10. Breach of the Policy

Any breach in the student disciplinary policy and procedures will result in action following the staff disciplinary procedure.

11. Access to policy

The policy will be published on the College Website.

