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For the future you want

Positive Behaviour and Anti-Bullying & Harassment

Guidance and
Procedures for Students



Student Experience

These procedures should be considered along with the
Positive Behaviour and Anti Bullying & Harassment Policy

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Edinburgh College Disciplinary Procedures for Students

These procedures should be considered along with the Positive Behaviour and Anti Bullying & Harassment Policy

1. INTRODUCTION

A disciplinary is difficult for all concerned, this document aims to provide guidance and support for you, when facing disciplinary actions. When a meeting has been arranged you will be offered reasonable time to prepare and seek representation. Representation can be an Edinburgh College Students' Association (ECSA) staff member, your class rep or another appropriate person.

An alternative meeting should be offered to you if you are unable to attend the first meeting.

After an initial meeting, your Learning Development Tutor (LDT) or other appropriate staff member may find it is not necessary to begin formal disciplinary procedures but instead may ask that you seek support from Student Services or modify your behaviour. This will be noted on your student record to ensure the best support is provided to you in the future.

2. SUSPENSIONS

In some cases, whilst an investigation is taking place into alleged misconduct, you may be suspended. The reason to suspend will be explained to you and usually only happens when there is a threat to your safety or the safety of others. Suspensions shouldn't be any longer than five working days but if you are to be suspended for longer, the investigator will explain why.

3. MEETINGS

These meetings are confidential; unless there is a threat to the safety of yourself or others or to ensure you are supported fully. In cases where the meeting can't be kept entirely confidential, the information will only be given to those that need to know. The Curriculum Manager/Curriculum Leader or LDT will normally chair the meeting but can ask an impartial staff member to lead the meeting.

3.1 Before the meeting

1. Arrange and meet with your representation, if needed.
2. Prepare any evidence or documentation.

3.2 During the meeting

1. The Chair of the meeting will introduce everyone in attendance and explain the reason for the meeting to you.
2. Please stick to the facts when giving information to the panel.
3. If you don't understand something, ask the staff member to explain.

3.3 After the meeting

1. You will be given a timescale for the investigation to be concluded or a disciplinary outcome decision.
2. Sometimes you may forget to include something relevant to the investigation or disciplinary, if this happens please let the appropriate staff member know as soon as possible.

4. POTENTIAL DISCIPLINARY OUTCOMES

Below is a list of potential outcomes of the investigation and/or disciplinary meeting:

- A – No further action
- B – Verbal warning, along with a learner contract if required
- C – First written warning, along with a learner contract if required
- D – Final written warning, along with a learner contract if required
- E – Withdrawal from your course
- F – Referral to another College service or external organisation

5. EXAMPLES OF BEHAVIOUR THAT FALL BELOW THE STANDARDS EXPECTED

Below are examples of inappropriate behaviours. Depending on the circumstances, it is the College's right to consider the impact of the behaviour displayed.

This includes behaviour both within and outwith the College premises that could potentially compromise the College's reputation or learner and staff wellbeing.

5.1 Minor

- Swearing
- Spitting
- Disruptive behaviour
- Smoking and vaping in non-designated area
- Online/social media activity that is minor but is disrespectful
- Undermining and criticism of student peers, and/or staff, about performance of tasks and/or assignments

5.2 Concerning

- Derogatory name calling related to protected characteristics
- Threatening, intimidating or abusive behaviour including cyber bullying
- Breach of the College's Acceptable use of IT Policy
- Being under the influence of alcohol or illegal substances
- Breach of health and safety policy and procedures

5.3 Significant

- Failure to adhere to regulatory bodies codes of conduct, in terms of fitness to practice either in College or on placement
- Carrying a weapon, or an item intended to be used as a weapon
- Bullying and harassment
- Threat of violence or actual violence towards others
- Displaying sexual images and/or offensive material
- Theft and damage of property
- Academic malpractice, including plagiarism
- Serious breach of health and safety procedures

6 PROCEDURE TO ADDRESS MINOR DISRUPTIVE BEHAVIOUR

1. Your LDT or a relevant staff member will arrange a meeting via tracked email or letter giving you at least two working days' notice.
2. You should attend this meeting.
3. The meeting and outcome will be recorded on your student record on ProMonitor.
4. Depending on the behaviour and outcome, you will be reminded of the College's core values and your responsibilities of these.

Repeated minor breaches of behaviour will result in formal disciplinary action. All formal disciplinary action will be recorded on your student record.

7. PROCEDURE TO ADDRESS CONCERNING BEHAVIOUR

Please note this is an investigation

1. Your LDT or a relevant staff member will arrange a meeting via tracked email or letter giving you at least two working days' notice to attend an investigatory meeting with the Curriculum Manager/ Curriculum Leader (or a relevant staff member if the CM/CL is unavailable).
2. The meeting will be recorded on your student record.
3. Following the meeting, your LDT or relevant staff member will let you know the disciplinary outcome, within five working days.
4. The disciplinary outcome will be recorded on your student record.
5. Depending on the behaviour and outcome, you will be reminded of the college's core values and your responsibilities of these.

8. PROCEDURE TO ADDRESS BEHAVIOURS THAT ARE OF SIGNIFICANT CONCERN

1. Your LDT or a relevant staff member and Curriculum Manager may decide for safety reasons to suspend you. (Please refer to suspensions)
2. Your LDT or a relevant staff member will invite you to attend an investigatory meeting with your representative, your LDT or a relevant staff member and your Curriculum Manager.
3. The meeting will be recorded on your student record.
4. Following the meeting, your LDT or a relevant staff member will let you know the disciplinary outcome, within five working days.
5. If you are on a course leading to professional registration, you may be referred to the relevant Fitness to Practice (FTP) Panel at this stage.
6. The disciplinary and any potential Fitness to Practice outcomes will be recorded on your student record.
7. You will be informed of your right to appeal and will be given information on how to do this.
8. On an occasion, where you have displayed significant concerning behaviour, the college may make the decision to contact the Police.

9. APPEALING A WITHDRAWAL

You can appeal the College's decision to withdraw you from your course. You must appeal in writing to your Head of Faculty within five working days of receiving their tracked email. Once the Head of Faculty has received the appeal letter or email, the following will apply.

1. **Contact with you.** Your Head of Faculty will respond by either tracked email or letter within five working days of receiving your written appeal. Your LDT or a relevant staff member will collate information relating to the alleged concern and action taken leading to your withdrawal. This will be passed in writing to the appeal panel in advance of the appeal hearing. If you cannot attend this meeting, an alternative meeting will be offered.
2. **Appeal panel.** An appeal panel is formed to make a judgement on the appeal. The panel must comprise of Head of Faculty, Head of Function or Curriculum Manager and an ECSA Officer. You are entitled to bring a representative to the appeal, for example a Class Representative or ECSA Staff member. The role of the representative is to provide support to you but not to speak on your behalf, unless you have given prior notice to

the appeal panel. A Panel member is nominated to take minutes of the meeting, which would be required as evidence should you later complain about the panel's decision.

3. **Appeal hearing.** The Head of Faculty will chair the meeting and provide you with all information that led to your withdrawal. The Chair will invite you to provide the panel with your reasons for appeal. When the meeting is finished, the panel will consider the outcome. The outcome must be communicated to you, your Learning Development Tutor and Curriculum Manager within five working days.
4. **The decision of the panel is final.** You will be given details of how to complain, if you are not satisfied with the outcome.