

UHI | PERTH

Student Conduct Procedure

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Version Control and Change History

Version	Date	Approved by	Amendment(s)	Author
0	Sep 2019	Board of Management/ Relevant Committee	N/A	PPLE Policy Ownership Group
1	May 2022	Board of Management/ Relevant Committee	Name change from Promoting a Positive Learning Environment to Student Conduct Policy reflected throughout procedure; removed references to Disciplinary Framework Decision Tree due to removal of that document; rebranding exercise reflected in wording throughout. 1.3: added suite of documents list for consistency; 2.4: added for clarity on reporting rights; 2.8: added 'The option of suspension of studies is dependent on what the student's course allows'; 3: new section following feedback to clarify some ambiguities that had arisen in practice (all subsequent sections moved forward one section due to numbering revision); 4.3: added to reflect new SPSO complaints guidance; 6.2: new section on students reporting concerns; 6.3.3, 6.4.3, 6.5.3 and 6.6.9: revised wording around HISA; 6.4.2 and 6.5.2: wording added to ensure students given copy of Procedure; 6.4.7 and 6.5.6: wording about going up or down the seriousness scale added; 6.4.11 and 6.5.9: new sections clarifying retention of warning; 6.6.1: new wording about gross misconduct; 6.6.5: additional wording around timing; 6.6.10: new section regarding absence from interviews; 6.6.15: additional wording re timings; 6.6.21: list reordered; 6.6.24-26: new sections regarding retention of warning/sanction.	Student Conduct Policy Ownership Group
1.1	Dec 2022	CQM	Firmed up the role responsibilities in each stage Added flowcharts per stage Clarification of withdrawal without need for disciplinary hearing where repeated serious / gross misconduct where a student has had a prior final written warning from a panel	Quality Manager
1.1	March 2023		Rebranded	

Title: Student Conduct Procedure
Version/Status: V1.1/Final
Approved By/Date: CMT/December 2020
Issue Date: December 2023

Owner: Vice Principal, Academic
Lead Author: Quality Manager
EQIA Approval Date: August 2022

1 Introduction

- 1.1 This procedure supports the Student Conduct Policy and the Student Code of Conduct. Please note that academic conduct is governed by a separate procedure. Please see section 9 for signposting to specific procedures for academic misconduct.
- 1.2 UHI Perth recognises that the appropriateness, development and acceptability of certain conduct may be different depending on the background and maturity of the learner(s) involved, and that individuality and context will be recognised
- 1.3 Students should be made aware during induction, and then at regular intervals thereafter, of the college values and the expected code of conduct and the mechanisms to uphold these.
- 1.4 All staff have a responsibility to promote a positive learning environment and challenge conduct contrary to the Student Code of Conduct. Staff should ensure that, when intervening in any situation, they consider their own safety as well as the safety of other staff and students.
- 1.5 The procedure is designed to give students and staff a clear framework to fairly and promptly address any situations that may arise around student conduct and suspected breaches of the Student Code of Conduct.
- 1.6 It is widely acknowledged that disruptive conduct is a barrier to learning and can negatively impact on the learning and wellbeing of the student themselves and/or other students and staff. This procedure should be implemented promptly as early intervention and support can result in better outcomes for the student and may avoid the situation becoming more complex.
- 1.7 The informal stage allows a dialogue with a student about their behaviour in a supportive manner and can usefully be an opportunity to signpost the student to other support mechanisms available to them to support behavioural issues ie through student services, where deemed relevant.
- 1.8 The Student Conduct Procedure is part of a suite of documents, including:
 - Student Conduct Policy
 - Student Code of Conduct
 - Support to Study Procedure
 - Academic Misconduct Policy
 - Fitness to Practise Guidelines (course-specific)
 - Gender Based Violence Policy (forthcoming 2022/23)
 - Mental Health Strategy
 - Mitigating Circumstances Procedure
 - Student Criminal Offence Data Disclosure Policy (forthcoming 2022/23)

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- Student Mental Health, Well-Being and Counselling Policy
- Suicide and Risk Intervention Policy and Staff Guidance
- Safeguarding Policy
- University of the Highlands and Islands Academic Standards and Quality Regulations
- University of the Highlands and Islands Academic Misconduct Guidance

All policies and procedures are published on Perth UHI website at <https://www.perth.uhi.ac.uk/about-us/policies-regulations-and-guidelines/>

Scope

- 2.1 This procedure applies to all students regardless of level enrolled on a programme of study at UHI Perth or who are enrolled at another academic partner but are studying at UHI Perth.
- 2.2 This procedure applies to suspected breaches of the Student Code of Conduct in physical and virtual environments, including social media and messaging services.
- 2.3 The procedure applies to suspected breaches of the Student Code of Conduct on campus and off campus.
- 2.4 Both staff and students can report suspected breaches of the Student Code of Conduct.
- 2.5 For students who are also school pupils, refer to Section 8.

1 Exceptions

- 1.1 Although a breach of the code of conduct, there are separate procedures for academic misconduct.
- 1.2 In situations where a student's conduct may be related to a health condition eg mental health condition or a condition identified in a Personal Learning Support Plan (PLSP), additional support and use of the Support to Study Procedure and/or relevant fitness to practise procedures may be considered alongside or instead of this procedure.
- 1.3 This procedure does not cover Academic misconduct. See Section 9.1 for further info.
- 1.4 This procedure is distinct from UHI Perth Complaints Handling Procedure. Breaches of the Student Code of Conduct cannot be investigated by the Complaints Handling Procedure.

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2 Principles

- 2.1 The Procedure upholds UHI Perth strategic values of being student centred, respectful, inclusive, and collaborative.
- 2.2 As outlined in the Student Conduct Policy, UHI Perth expects conduct that helps to create a positive and safe learning environment and that reinforces our culture.
- 4.3 The Student Conduct Procedure seeks to act without bias and provide all involved with the right to a fair hearing. UHI and partners understand that raising a concern or being investigated under the Student Conduct Procedure can be stressful. Support is available from UHI Perth and HISA should students wish.
- 4.4 All students interviewed, including the student who is alleged to have breached the Student Code of Conduct, should be offered the opportunity to be accompanied by a supporter of their choosing at any stage of the procedure (other than a legal representative or another student involved in the incident or investigation). The student can approach HISA to find out more about the type of support they can offer.
- 4.5 As per the Student Conduct Policy section 3.4, any breach of the Student Code of Conduct which may also constitute a criminal offence may be reported to the police and may lead to separate criminal proceedings. UHI Perth will discuss the situation with the student raising a concern prior to any police referral being made, but due to our duty of care have an obligation to refer to the police in some circumstances regardless of whether the students involved support the action.
- 4.6 As a general principle UHI and partners will always seek to disclose only relevant information as part of the Student Conduct Procedure. However, in a situation where a student raising a concern against another student it is likely that the evidence provided by the student raising a concern will form a key part of disciplinary proceedings against the other student. Care must be taken to ensure that both students are treated fairly, have a proper opportunity to put their case, and a proper opportunity to challenge the evidence of the other.
- 4.7 Should a student raising a concern not give their consent for information they provide being used during a disciplinary investigation they must make staff aware. The student should also understand that it may be difficult to proceed to an investigation without the sharing of evidence.

5 Definitions

- 5.1 **Precautionary Action:** In the event of an allegation of misconduct, a student may be excluded from UHI Perth until the investigation is completed if there is risk of harm to themselves, other students or staff. During this time they will be able to continue to study remotely and will continue to receive student support funds. Precautionary action is not a punishment but is intended to protect the interests of all parties.

Where precautionary action is to be used the Sector Development Director or Head of Student Experience should inform the student by letter explaining that they are being excluded to allow an investigation to occur.

Precautionary action may also include measures up to complete exclusion from UHI Perth, eg removal of access to a course of study or specific building. Consideration should also be given to removing access to other university and academic partner facilities.

- 5.2 **Exclusion from Campus:** The removal of the student's access to all sites constituting UHI Perth campus for a specified period of time in response to a disciplinary incident. The time period would normally be whilst the investigation is ongoing, and/or if appropriate until after the outcome from a disciplinary hearing is issued. In some circumstances this exclusion may extend to all university and academic partner campuses. The student may continue to study remotely throughout this period.

- 5.3 **Exclusion from Studies:** The removal from the student's course of study in response to a disciplinary incident, resulting in the loss of registered student status and loss of access to all facilities.

In some circumstances this exclusion may apply to the university and all academic partners for a period of time deemed appropriate by the disciplinary procedure. In some cases this may result in any future applications from the student being rejected.

- 5.4 **Suspension of Studies:** A suspension of studies is not a disciplinary measure. When a student chooses to take a period of time out from their studies because of a change in their personal circumstances, with the intention to return at a later date. The option of suspension of studies is dependent on what the student's course allows.

- 5.5 **Support to Study:** where a student's behaviour is linked to a known condition or suspected mental health condition a case group is formed to discuss the student's situation and determine how, where possible, the student can be supported to continue with their studies. The code of conduct still applies, however the Support to Study procedure may be a more appropriate procedure to follow than the Student Conduct Procedure.

Please note that these procedures can be used in tandem ie a student being supported through the student support procedure may still be issued with a sanction based on their conduct.

6 Procedure

6.1 Students not found responsible of suspected misconduct

At any stage during the disciplinary procedure, if a student is found not to be responsible for any suspected misconduct, then the procedure will be stopped, and no further action taken.

6.2 Students reporting a suspected breach of the Student Code of Conduct

Students can report suspected breaches of the Student Code of Conduct to any member of staff. Should the report be of a personal or sensitive nature, students can discuss the issue with a member of staff they trust or speak to a representative from the Highlands and Islands Students Association (HISA) to find out more about the type of support they can offer. The member of staff will follow the process below as appropriate.

6.3 Informal Conduct Review

6.3.1 UHI Perth will usually try to deal with suspected breaches of the Student Code of Conduct informally first, and only use the formal disciplinary procedure when this proves unsuccessful, or it is inappropriate in the circumstances (eg recurring breaches of the Student Code of Conduct, an instance of a more serious nature or gross misconduct – see 6.6.1).

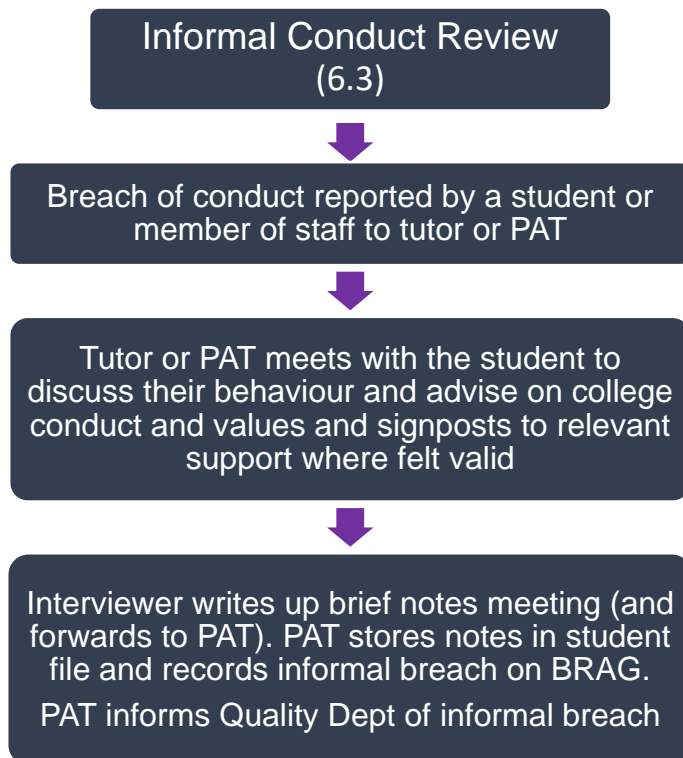
6.3.2 Informal action would involve staff (normally a tutor or PAT) discussing with the student any conduct causing concern and setting out the expectations around conduct. (see 4.4 student's right to be accompanied)

6.3.3 Brief notes should be taken of the discussions and sent to the PAT who will record on student's record on BRAG that an informal conduct meeting has been held.

6.3.4 The PAT should inform Quality Dept of all informal conduct meetings that have been held.

6.3.5 Students should be notified that a note has been made of the discussions and that no further action will be taken unless misconduct continues or escalates.

6.3.6 Repeated low-level misconduct should be raised with the PAT or equivalent. Should the misconduct continue or escalate, the formal disciplinary procedure will be considered.



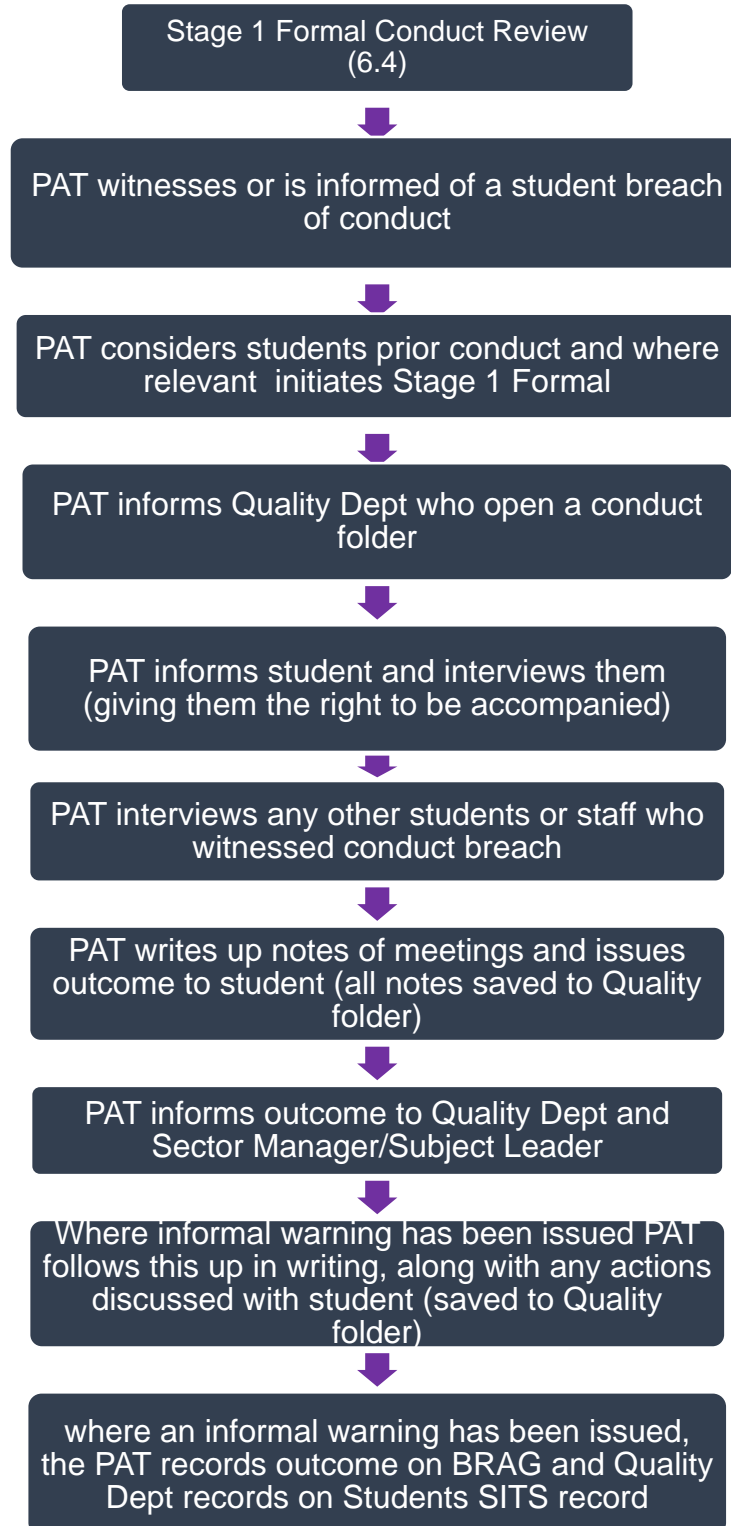
6.4 Stage 1 Formal Conduct Review

- 6.4.1 Where a suspected breach of the Student Code of Conduct has occurred, or where previous informal discussions and or informal verbal warnings or other sanctions have been ignored, the reporting member of staff should discuss the situation with the PAT.
- 6.4.4 The PAT will then consider the incident alongside the student's conduct to date generally. If felt that the conduct warrants further action, then the Quality Dept should be informed that a formal 1 disciplinary is taking place.
- 6.4.5 The Quality Dept will open a folder and share access with the PAT for the storing of all documentation.
- 6.4.6 The student should be advised that the Formal Disciplinary stage is being used and be provided with a copy of the procedure prior to any formal interview taking place.
- 6.4.2 Discussions should be held with the student suspected of breaching the Student Code of Conduct to establish their version of events (see 4.4 student's right to be accompanied)
- 6.4.7 Discussions may be held with other staff and/or students to ascertain the situation and verify events.

- 6.4.8 The PAT should take brief notes of all the discussions along with gathering any evidence which may indicate whether the suspected misconduct has taken place. A copy of the notes should be given to the parties interviewed for confirmation of accuracy along with a request for acknowledgment.
- 6.4.9 Provided the PAT is satisfied that a breach of the Student Code of Conduct has taken place, they can issue a verbal warning to the student.
- 6.4.10 Should the evidence suggest that the misconduct is not serious enough to merit a verbal warning, the PAT can use an informal warning instead, following the guidance in Section 6.3 onwards.
- 6.4.11 Conversely, should the evidence suggest the misconduct is more serious than Stage 1, the PAT should inform the Sector Manager/Subject Leader and they will take it forward as a Stage 2 breach.
- 6.4.12 At the point of issuing the verbal warning, the student's conduct should be discussed, outlining the impact on others and emphasising the need to change. Strategies should be discussed that will lead to improvements and agreed with the student. The student should be informed that repeated misconduct may lead to a Stage 2 formal disciplinary procedure.
- 6.4.13 After issuing the verbal warning to the student, the PAT, will arrange for an official notification of the verbal warning, and any possible supplementary action plan, to be sent to the student in writing and note the outcome sanction on the student's BRAG record.
- 6.4.14 The written warning and any action plan should be filed in the Quality folder and Quality informed of the sanction issued who will note the outcome sanction on the student record on SITS.
- 6.4.15 The PAT should inform the relevant Sector Manager/Subject Leader that an informal sanction has been issued.
- 6.4.16 The verbal warning will remain in place for six months. Students who re-enrol on a course within six months should have the verbal warning retained on student's record or relevant system. If concerns about the student's conduct have passed the verbal warning will normally be expunged after six months, but if concerns remain around the student's conduct the verbal warning can remain in place until the end of the academic year at the discretion of staff. The student must be notified of this extension and the reasons.

6.4.17 Where relevant, the PAT or equivalent should provide feedback to the member of staff that initially reported the misconduct.

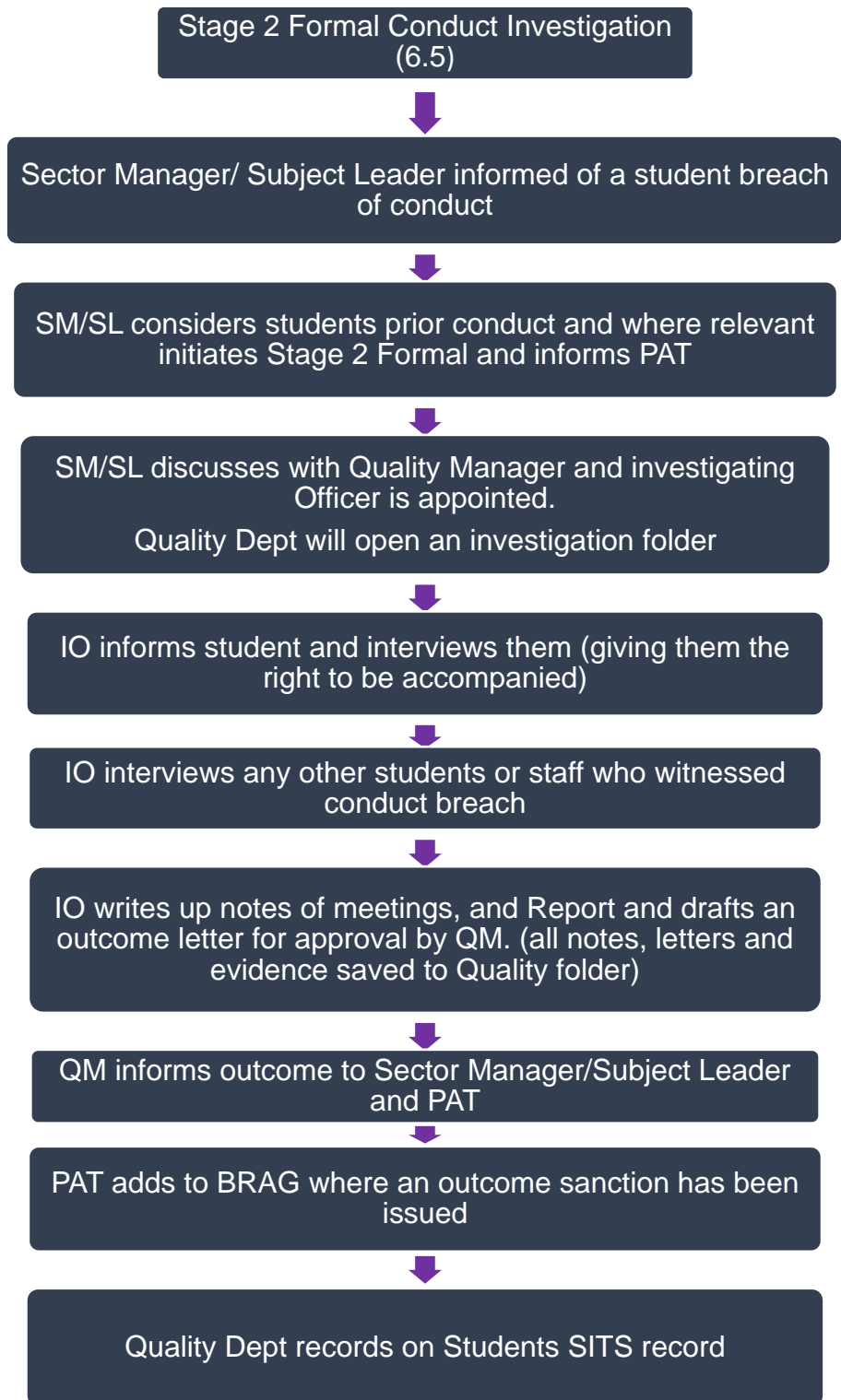
6.4.18 The student has the right to make an appeal against the outcome under specific circumstances. Further information is included in Section 7.



6.5 Stage 2 Formal Conduct Investigation

- 6.5.1 Where conduct that has previously received a formal verbal warning recurs, or where there is serious breach of the Student Code of Conduct, the Stage 2 Formal Disciplinary Procedure will be initiated.
- 6.5.2 The Sector Manager and/or delegated Subject Leader will consider the suspected breach of the Student Code of Conduct alongside the student's conduct to date.
- 6.5.3 Discussions should be held with the Quality Manager regarding the process steps to take, and if there is warranted a conflict of interest for the SM (or SL) to take the investigation forward then the QM will appoint an alternative investigation officer.
- 6.5.4 The Quality Department will set up an investigation folder on Sharepoint for the holding of all documentation relevant to the investigation, including the final investigation report.
- 6.5.5 The student suspected of breaching the Student Code of Conduct will be invited to interview to establish their version of events. The student should be advised that the Stage 2 Disciplinary is being used and be provided with a copy of the procedure and code of conduct prior to any formal interview taking place. (See 4.4 student's right to be accompanied).
- 6.5.6 Interviews may be held with other staff and/or students to ascertain the situation and verify events. The investigating officer should take brief notes of the discussions along with gathering any evidence which may indicate whether the suspected misconduct has taken place. A copy of the interview notes should be given to the parties interviewed to be signed for verification of accuracy.
- 6.5.7 Provided the staff members investigating are satisfied a breach of the Student Code of Conduct has taken place, the Sector Manager can issue a written warning to the student, which should be agreed in advance with the Sector Development Director. If the Sector Development Director is unavailable ie on leave/absence then the Quality Manager can approve a written warning being issued.
- 6.5.8 Should the evidence suggest that the misconduct is not serious enough to merit a written warning, the Sector Manager can issue a verbal warning instead, following the guidance in Section 5.3 onwards. Conversely, should the evidence suggest the misconduct is more serious than Stage 2, proceeding to Stage 3 should be considered, following the guidance in 5.5.1.

- 6.5.9 When issuing the written warning, the Sector Manager should complete the appropriate paperwork. A letter, and any possible supplementary action plan, should be sent to the student, and a copy saved to the investigation folder. Appropriate information and any relevant documentation should be logged on student's record or relevant system eg SITS.
- 6.5.10 At the point of issuing a formal warning the SM/SL should inform the PAT who will arrange to meet with the student to discuss their conduct, outlining the impact on others and emphasising the need to change. Strategies should be discussed that will lead to improvements and agreed with the student. The student should be informed that repeated misconduct may lead to the Stage 3 Disciplinary Procedure being initiated.
- 6.5.11 The written warning will remain in place for twelve months. Students who re-enrol on a course within twelve months should have the written warning retained on student's record or relevant system. If concerns about the student's conduct have passed the written warning will normally be expunged after twelve months, but if concerns remain around the student's conduct the written warning can remain in place up to an additional 6 months at the discretion of staff. The student must be notified of this extension and the reasons.
- 6.5.12 The student has the right to make an appeal against the outcome under specific circumstances. Further information is included in Section 7.



Stage 3 Formal Conduct Investigation (including gross misconduct)

Context

6.6.1 A Stage 3 Formal Disciplinary will be initiated where:

- Repeated breach of the Student Code of Conduct for which the student has previously received warnings.
- A single instance of suspected gross misconduct eg conduct serious enough that if proven it may lead to exclusion or withdrawal from UHI Perth. Gross misconduct includes the most serious breaches of the Student Code of Conduct. Gross misconduct is not precisely defined as it is contextual but is likely to involve serious criminal misconduct, serious damage to property, substance misuse, verbal abuse, physical and/or sexual violence, and gender-based violence.

Police Investigations

6.6.2 As per section 3.5 of the Student Conduct Policy, UHI Perth will be unable to investigate any incidents whilst an official police investigation is underway, however precautionary actions may be taken to reduce risk, ensure the safety of others and protect the integrity of the police investigation and a potential future UHI Perth investigation. UHI Perth will consult with the police during this period, and appropriate support will be provided to any students and staff involved.

Stage 3 Formal Procedure

- 6.6.3 The Sector Manager, along with the Sector Development Director, should consider the suspected breach of the Student Code of Conduct alongside the student's conduct to date. **NB** if the SDD is not available ie on leave/absence, then discussions should be held direct with the Quality Manager.
- 6.6.4 Discussions should then be held with the Quality Manager regarding the process steps and the SM, or if deemed more appropriate the SDD, will be appointed as Investigation Officer. **NB** if there is a conflict of interest for the SDD or SM to take the investigation forward the QM will appoint an alternative investigation officer.
- 6.6.5 The Sector Manager will inform the PAT and where relevant the Subject Leader. If the student is being supported by student services then the SM should inform the Quality Dept who their support person is and the QO
- 6.6.6 The Quality Department will set up an investigation folder on Sharepoint for the holding of all documentation relevant to the investigation, including the final investigation report.

- 6.6.7 Consideration should be given by the Sector Development Director or in their absence, the Head of Student Experience, as to whether precautionary action should be taken whilst the investigation is ongoing (see Section 5.1). If so, a letter should be sent to inform the student of the grounds for precautionary action.
- 6.6.8 All investigations should be conducted within a timeous period once the incident becomes known by staff. For example, it is recommended that an **investigation should not normally take more than 10 working days**, however holidays and staff absence during this period should be accounted for sensitively. All parties should be communicated with regarding any delays and alternates will be appointed in a timely fashion if absence is likely to prevent the investigation progressing.
- 6.6.9 Before meeting with a student as part of a formal investigation, it should be ascertained whether the student has a Personal Learning Support Plan, or a support officer, that means they may need extra support during the investigation. This support should be arranged before any formal interview/meeting. The Investigating Officer should be aware of the impact the student's PLSP may have on their experience of the disciplinary procedure. This also applies to any witnesses that may be interviewed.
- 6.6.10 The student who is the subject of the disciplinary investigation should be provided with a copy of the Disciplinary Procedure and the Student Code of Conduct, prior to interviews taking place.
- 6.6.11 The Investigating Officer will identify all witnesses and individuals involved in the suspected misconduct and collect any relevant evidence. Where it is considered necessary to interview a witness or others involved, the Investigating Officer should meet with each of these people individually.
- 6.6.12 The IO should meet with the student's PAT and Sector Manager/ Subject Leader and consult with Student Services to obtain a full appraisal of the aspects of the student's behaviour and support in place. All supporting evidence and or information gained should be written up and/or stored in the investigation folder.
- 6.6.13 A record of these interviews should be taken by an appropriate person, if not the investigating officer, and a copy of the notes should be given to the parties interviewed to be signed for verification of accuracy and saved to the Investigations Folder.
- 6.6.14 All students interviewed, including the student who is suspected of breaching the Student Code of Conduct should be offered the

opportunity to be accompanied by someone of their choosing (other than a legal representative or another student involved in the incident or investigation). The student can approach HISA to find out more about the type of support they can offer www.hisa.uhi.ac.uk/advice

- 6.6.15 Where the student suspected of misconduct declines to attend an interview, or not attend an interview without a valid reason for absence, they should be advised that the investigation will carry on regardless and may proceed to a disciplinary hearing that they will be requested to attend.
- 6.6.16 At the end of the investigation the Investigating Officer will complete the Stage 3 Disciplinary Report and provide a recommendation on whether there is a disciplinary case to answer to. This report should be sent to the Quality Manager and Head of Student Experience.
- 6.6.17 All accompanying evidence relating to the suspected breach of the Student Code of Conduct collected during the investigation, including statements from staff and/or students should be uploaded to the Sharepoint folder set up by Quality.
- 6.6.18 The recommendation will include details of any previous disciplinary action and an overview of the student's engagement with studies to date.
- 6.6.19 The Head of Student Experience and Quality Manager will make a decision whether to proceed to a Disciplinary Hearing, based on the recommendation from the Investigating Officer and the evidence collected during the investigation.
- 6.6.20 Where a student has previously received a final written warning pertaining to a serious or gross misconduct and the investigation findings evidence a repeat of the same behaviour then the Sector Development Director and Head of Student Experience can withdraw the student without the need to go to a Disciplinary Hearing Panel.
- 6.6.21 Should the Head of Student Experience or Quality Manager choose not to proceed to a disciplinary Hearing, their rationale should be recorded and all records retained.

Stage 3 Formal Conduct Investigation (6.6)

Sector Manager informed of a student breach of conduct

SM along with SDD considers students prior conduct and where relevant initiates Stage 3 Formal and informs SL (where relevant) and PAT

The SM informs the Quality Office if the student has a PLSP and/or a support officer.

SM/SDD discusses with Quality Manager who will appoint an investigating Officer (normally SM or SDD unless there is a conflict of interest).
Quality Dept will open a investigation folder

The SDD, or Head of Student Experience, should consider whether precautionary action needs to be taken and if so will write out to inform the student

The QO will obtain any relevant information from Student Services and upload to the investigation folder.

IO informs student and interviews them (giving them the right to be accompanied)

IO interviews any other students or witnesses to the conduct breach

IO writes up notes of meetings and Report and provides an outcome recommendation within the Investigation Report. Once report complete this is sent to the Quality Manager and Head of Student Experience

QM confirms outcome to Sector Development Director, Sector Manager/Subject Leader and PAT

Quality Department send a letter to the student(s) with the outcome of the investigation.

If the recommendation is to go forward to a Disciplinary Panel the Quality Department will arrange this.

6.7 Disciplinary Panel Hearing

- 6.7.1 Should the Head of Student Experience and/or Quality Manager decide to proceed to a disciplinary hearing, it should take place within ten working days of the Investigating Officer making their recommendation. All parties will be communicated with regarding any delays and alternates will be appointed in a timely fashion if absence is likely to prevent the investigation progressing.
- 6.7.2 Head of Student Experience and Quality Manager will decide who will Panel members.
- 6.7.3 A Quality Officer will be appointed by the Quality Manager to support the Hearing Panel
- 6.7.4 The QO will arrange the panel meeting, invite the panel members to attend, and issue a letter of invite to the student(s).
- 6.7.5 The IO will collate all relevant information from Student Services and the Sector Manager, as well as make all evidence from the investigation and past disciplinary history available to the Panel.
- 6.7.6 The student should be offered the opportunity to be accompanied by someone of their choosing (other than a legal representative or another student involved in the incident or investigation). The student can approach HISA to find out more about the type of support they can offer www.hisa.uhi.ac.uk/advice
- 6.7.7 The disciplinary hearing panel should, as a minimum quoracy, consist of three members, plus a scribe (designated Quality Officer). At least one of the panel members should be a member of CMT ie of a senior enough level to be able to make a decision on withdrawing or excluding a student. As well as the Quality Manager; and a Sector Development Director from a different curriculum area to that the student studies within, and/or Professional Services Manager, as appropriate
- 6.7.8 The purpose of the meeting is to:
- Explore the reasons for the alleged incident.
 - Establish whether the student is committed to correcting their conduct.
 - Explore how the student can be supported if they continue with their studies.
 - Consider any information that was not available during the investigation.
 - Determine any disciplinary action that should be taken against the student.

- Determine whether the circumstances are such that the student should be excluded from their studies or from the campus (and/or all UHI campuses).
- 6.7.9 The panel must consider all the evidence presented before arriving at a conclusion. The conclusion may be reached at the end of the meeting or through further discussion with relevant members of staff after the meeting.
- 6.7.10 Where a student states their intention not to attend a disciplinary hearing or does not attend the hearing without a valid reason for absence, the hearing will take place in order to consider the investigation findings before coming to a conclusion as to the appropriate course of action. Should there be a valid reason for absence, a decision will be made in liaison with the student about reconvening the hearing.

6.8 Outcome of Disciplinary Panel Hearing

- 6.8.1 The disciplinary hearing panel has scope to take disciplinary action that may include one or more of the following:
- No further action.
 - Referred for consideration to the Support to Study Procedure and/or relevant fitness to practise procedures.
 - Verbal warning.
 - Written warning.
 - Written apology to the aggrieved party.
 - Compulsory attendance at a workshop/coaching session.
 - Restrictions/conditions on attendance.
 - Fines for wilful damage, theft or non-return of equipment.
 - Final written warning.
 - Exclusion from campus.
 - Exclusion from their studies.
 - De-registration (postgraduate research students).
 - Permanent exclusion from the university and all academic partners.
 - Removal of university award.
- 6.8.2 The Panel Chair should inform the Sector Development Director of the outcome of the panel.
- 6.8.3 The SDD is responsible for informing the Sector Manager and where relevant the Subject Leader and PAT.
- 6.8.4 The Chair must inform the student of the outcome of the disciplinary hearing in writing within **3 working days** of the meeting.
- 6.8.5 The Quality Officer must complete the report of the discussions at the panel hearing **within 5 working days**.

6.8.6 The student has the right to make an appeal against the outcome under specific circumstances. Further information is included in Section 7.

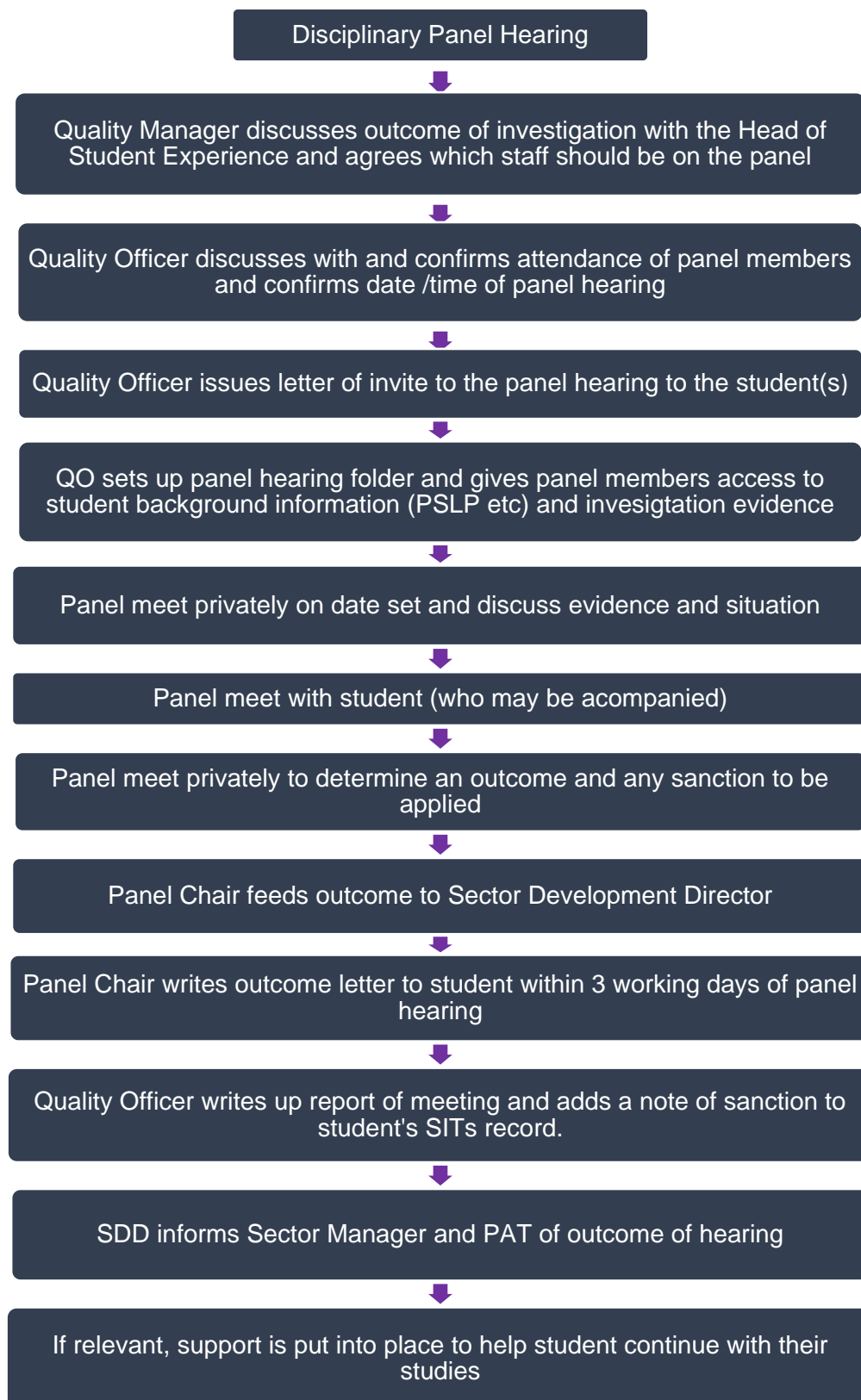
6.8.7 A copy of all documentation presented as evidence, the panel outcome letter, and the hearing report will be held on file by Quality Team. If a sanction is given this will be logged on student's record or relevant system eg SITS by the Quality Team

6.8.8 **If the issue is deemed to be gross misconduct** the outcome of the hearing will be attached to the student permanently on student's record or relevant system and may be taken into account determining any future university partnership applications. The decision to classify the issue as gross misconduct is at the discretion of the panel (see Section 6.6.1).

6.8.9 **If the issue is deemed not to be gross misconduct** the outcome of the hearing will remain in place for 2 years. Students who re-enrol on a course in the university partnership within 2 years should have the hearing outcome retained on student's record or relevant system. If concerns about the student's conduct have passed the hearing outcome will normally be expunged after 2 years, but if concerns remain around the student's conduct the sanction can remain in place for an additional year. The student must be notified of this extension and the reasons.

6.8.10 Exceptions to 6.5.24 and 6.5.25 are:

- A verbal warning (held on record for at least 6 months as per Stage 1)
- A written warning (held on record for at least 12 months as per Stage 2)
- Referral for consideration to the Support to Study Procedure and/or relevant fitness to practise procedure.



7 Appeals

- 7.1 A student may appeal against any disciplinary action taken against them. Appeals will only be considered on the following grounds:
- a That the Student Conduct Procedure was not followed correctly.
 - b That there was prejudice and/or bias on the part of the Investigating Officer or any disciplinary hearing panel members which affected the outcome;
 - c That the disciplinary action imposed is thought to be disproportionate to the offence;
 - d That there is new evidence, or new information about existing evidence, which could not have been made reasonably available during the original determination.
- 7.2 Appeals must be made in writing to the Depute Principal. The appeal must be made within 5 working days of receiving the outcome of disciplinary action and must state the grounds on which the appeal is being made.
- 7.3 Appeals will not be considered for any other reason or through any other means than those outlined above.
- 7.4 The appeal will be considered by the Depute Principal , or in their absence an appropriate senior manager, who will respond to the student within five working days of receiving the appeal. Once the outcome has been decided there is no recourse to further appeal.

8 Students Who are School Pupils

- 8.1 The College works in partnership with local education authorities in Perth and Kinross to allow school pupils access to our school/college courses.
- 8.2 Schools shall be responsible for the actions and behaviour of their pupils when pupils are on college programmes in school.
- 8.3 When the pupils are in College, they are subject to the College disciplinary policy and pupils will be expected to adhere to our policies, codes and regulations that are applicable to all other Students. Schools will be kept informed of any pupil who has is placed on a disciplinary procedure and the ongoing associated processes.
- 8.4 The College reserves the right to require the withdrawal of a pupil determined to be unsuitable for a college course by virtue of maturity or poor behaviour, as per the College's Student Code of Conduct.

- 8.5 Absences for students on School Links Programmes will also be reported to the individual schools for possible further action as per individual school procedures.
- 8.6 The College retains the right to suspend or terminate the enrolment of any pupil on any school/college course for any breach of these Terms and Conditions

9 Appendices

- 9.1 The following staff operational processes and also are located on Quality Matters Sharepoint site <https://myuhi.sharepoint.com/sites/pc-qm-1/SitePages/Student-Code-of-Conduct.aspx>

Appendix 1: Student Conduct Procedure Overview

Appendix 2: Informal Conduct Review Flowchart

Appendix 3: Stage 1 Formal Conduct Review Flowchart

Appendix 4: Stage 2 Formal Conduct Investigation Flowchart

Appendix 5: Stage 3 Formal Conduct Investigation Flowchart

Appendix 6: Disciplinary Hearing Panel Checklist

Appendix 7: Appeals Flowchart

- 9.2 Academic Misconduct is governed by different procedures.

FE Academic Misconduct is governed through the FE Academic Misconduct Procedure and is outlined on the Quality Matters Sharepoint Site <https://myuhi.sharepoint.com/sites/pc-qm-1/SitePages/Student-Code-of-Conduct.aspx>.

HE Academic Misconduct is governed by the UHI Academic Standards and Regulations. <https://www.uhi.ac.uk/en/about-uhi/governance/policies-and-regulations/regulations/>