

## **Student Disciplinary Procedure**

***Applicable to Access student only 2018/19***

Name of Policy Writer/Amendments	Date Written & agreed / Amended	Approved by	Review Date
S McKenzie	July 2017	Academic Board	July 2018

## **Reasons for Disciplinary Action**

### **1. Inadequate Attendance**

Attendances are calculated by session – i.e. there will normally be 3 or 4 sessions each day and a separate register is kept for each session. Any session missed will be counted as an absence. The total number of absences is calculated against the possible number of sessional attendances. The absences are calculated on an on going basis and are reviewed formally every six weeks by the Student Review Board.

All absences should be explained and those of longer than five working days must be mitigated and supported by evidence (e.g. a copy of a prescription or doctor's note). Absences may be authorised for activities such as professional development or auditions. Please refer the Attendance Policy

### **2. Misconduct**

Misconduct is any breach of the Learning Agreement, the School Codes of Conduct and Practice or other School policies and regulations as outline on the Student Intranet and [www.nscd.ac.uk](http://www.nscd.ac.uk)

### **3. Gross Misconduct**

Examples of gross misconduct are:

- Behaviour which is likely to seriously affect the safety or welfare of others
- Behaviour which is likely to bring the School into disrepute
- Theft of, deliberate damage to or abuse of School property
- Incapacity through alcohol
- Being under the influence of illegal drugs or other deliberately misused substances (the above is not to be construed as an exhaustive list).

The Principal may deal with gross misconduct by suspending the student for a specified period. If the misconduct has brought into question the student's entitlement to remain on their course of study the student will be referred to the School Disciplinary Committee.

## **Procedure**

In the case of disciplinary action for inadequate attendance and misconduct (numbers 1 and 2 above) an unofficial verbal warning may be given without triggering official Student Disciplinary Procedures. However if the misconduct is of a more serious nature or, following an unofficial verbal warning, further misconduct occurs or attendance fails to improve, the following procedure will apply:

1. Official recorded verbal warning – normally given by the student's Personal Tutor and recorded on a pro-forma signed by the student and tutor.
2. Written warning – sent to the student by the Head of Academic Registry.
3. Appearance before the School Disciplinary Committee. If, following a written warning, improvements have not been observed in a student's conduct and/or attendance or where gross misconduct has occurred a student may be called before the School Disciplinary Committee. The Committee is normally chaired by a senior member of staff, will consist of three other staff members (normally an Academic Head and the relevant Personal Tutor). The student is entitled to be accompanied by a friend. After discussing the facts of the case with the student and allowing her/him to make representation the Committee may decide to either:
  - Require the student to meet set conditions within a specified time. Or
  - Recommend to the Principal that the student be asked to leave the School.

The School Disciplinary Committee will submit a written report to the Head of Academic Registry who will write to the student giving formal confirmation of the decision of the Committee.

In the event of the student failing to comply satisfactorily with any further conditions set, the School Disciplinary Committee will submit a final report to the Head of Academic Registry with the request that the case be submitted to the Principal with a recommendation that the student be excluded from the School.

The Head of Academic Registry will then write to the student asking if s/he wishes to draw any matter to the attention of the Principal. The student may if s/he wishes contact the Student Union for advice. Any special plea received from the student is forwarded to the Principal, together with the student's file and the School Disciplinary Committee's recommendation.

The student is informed in writing of the Principal's decision and her/his right to appeal to the School Appeals Panel.

The "life" of a warning or other School Disciplinary Committee action is determined according to the following graduated timescales, after which the warning will be considered "spent":

- Official recorded verbal warning - 6 months
- Written warning -12 months
- Final written warning and any conditions set (following appearance before the School Disciplinary Committee) -18 months

### **The School Appeals Panel**

If a student wishes to appeal against the decision of the Principal to exclude her/him from the School s/he should write to the Clerk to the Governors who will refer the matter to the School Appeals Panel.

The Panel is convened by the Clerk to the Governors and will include two members of the Board of Governors, a senior member of NSCD staff and a representative of the Conservatoire for Dance and Drama (nominated by the Principal of CDD).

Arrangements will be put in place within 10 working days of receiving the appeal and all parties should have at least 10 working days' notice of the date of the meeting of the Panel. The student will be allowed to address the Panel and may be accompanied and assisted by an advisor or friend. The Panel will reach a decision and communicate it to all parties in writing within 10 working days of its hearing.

### Action following the outcome of an appeal considered by the School Appeals Panel

After the School Appeals Panel has reached its decision the student will be provided with a "Completion of Procedures" letter. If the student is dissatisfied with the outcome s/he may be entitled to refer the matter to the Office of the Independent Adjudicator (OIA). However, the issuing of a Completion of Procedures Letter does not give an automatic right to complain to the OIA – there must be grounds for taking the complaint further. Full details of the OIA can be obtained from: <http://www.oliahe.org.uk/literature.asp>