

Emergency Powers of Suspension

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Policy Tier:	1
Lead contact:	Head of Quality & Compliance
Audience:	Students & staff (NSCD and Franchise Partner Providers)
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Related Statutes, Ordinances, General Regulations:	Academic Regulations & Credit Framework; Equality Act 2010; Data Protection Act 2018; UK GDPR;
Related Policies, Procedures and Guidance:	Non-Academic Misconduct Policy; Terms and Conditions; Policy on Harassment, Sexual Misconduct & Related Behaviours; Support Through Studies; School Safeguarding Policy; Codes of Practice.
UK Quality Code reference:	Quality Code Expectations for Quality; Advice and Guidance: Concerns, Complaints and Appeals; Enabling Student Achievement; Student Engagement.
OfS Conditions reference:	Conditions B2; C1; C2; E2; E6
Equality and Diversity Considerations:	Policy will be available in accessible format for all students.

Further information:

For queries relating to this policy please contact quality.office@nscd.ac.uk

This document was produced with the assistance of artificial intelligence tools for drafting and editing purposes. All content has been reviewed, amended where necessary, and approved by the author(s), who retain full responsibility for the final content.

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1. Introduction

1.1 Statement of Commitment

NSCD is committed to providing a safe environment for its students, staff, the wider School community, and partner organisations. The Emergency Powers of Suspension exist solely to protect that environment in urgent situations and are never used as a punishment.

1.2 Purpose of the Policy

This policy sets out:

- when the Emergency Powers of Suspension may be used
- who may exercise them
- the procedure that will be followed
- the safeguards in place for students subject to suspension
- how this policy interacts with NSCD's other policies and procedures.

The decision to use the Emergency Powers in any given case rests with the NSCD Chief Executive & Principal ("the Principal").

2. Scope & Principles

2.1 This policy applies to all students registered with the Northern School of Contemporary Dance (NSCD), whether they are studying at NSCD or on an NSCD-registered course delivered by a franchise partner provider, and regardless of mode or location of study. Where a student is studying with a franchise partner provider, this policy applies in addition to any equivalent policies of that partner; in the event of any conflict, this policy takes precedence in respect of the student's status as an NSCD-registered student.

2.2 The decision to suspend a student under these Emergency Powers rests with the NSCD Chief Executive & Principal in all cases, including where the student is studying with a franchise partner provider. Franchise partner providers must refer any case, where suspension under these Emergency Powers may be appropriate, to the NSCD Principal (or their nominated delegate) without delay, and must not exercise these Emergency Powers themselves on behalf of NSCD.

2.3 Suspension under this policy is not a penalty. The power to suspend exists to protect the student, members of the deliver institution's community, the safety of premises and property, and the integrity of the institution's operations. It is to be used only where the Principal is satisfied, on reasonable grounds, that it is urgent and necessary.

2.4 In every case, before the Principal exercises the Emergency Powers, a risk assessment will be undertaken to assist with determining whether suspension (and any conditions) is the appropriate course of action.

2.5 A decision to suspend a student under these powers is made without prejudice and does not amount to a finding of misconduct or academic failure.

2.6 The Emergency Powers may be used where there is a potential or actual threat to the safety, security, health, wellbeing or reputation of the student, the school, its members, an external organisation, a placement provider, a franchise partner provider, or members of the public. Examples include (but are not limited to):

- a student is considered a danger to themselves or others
- a student may have breached the published Codes of Practice
- a student is presenting with urgent or critical "support through studies" concerns (for example, their health or other circumstances mean they are not safe to study)
- a student is the subject of a pending criminal charge or police investigation, the nature of which deems the student not safe to study or a potential risk to the institution
- a previously undisclosed relevant criminal conviction that is brought to the institutions attention

- a student is the subject of an allegation of Non-Academic misconduct
- there is an identified need to protect the health, safety or property of the student or the institutions community.

2.7 NSCD will make reasonable adjustments under the Equality Act 2010 in operating this policy, including in the way information is communicated to a suspended student, the way representations may be made, and any support arrangements during the period of suspension.

2.8 All reasonable efforts will be made to enable the student to engage with their course of study as far as possible during and following any period of suspension, including referral to available support.

3. Definitions

In this policy:

3.1 “The School” means the Northern School of Contemporary Dance (NSCD).

3.2 “The institution” is used to refer to the delivery provider, which includes NSCD or relevant franchise partner provider.

3.3 “The Principal” means the Chief Executive & Principal of NSCD. References to the Principal include any nominated delegate authorised by the Principal to act on their behalf under this policy (typically the Vice Principal).

3.4 “Suspension” means that attendance at, or access to, the delivery institution, and participation in any or all institution activities (including external programme-related activities), is prohibited until the suspension is lifted. A suspension may be subject to conditions, such as exceptional permission to attend for the purpose of an assessment and may include conditions restricting or prohibiting contact between the student and a particular individual or individuals.

3.5 “Franchise partner provider” means an organisation delivering an NSCD-registered course to students who are registered with NSCD, under a franchise arrangement with NSCD.

4. Responsibilities

4.1 All members of NSCD have a responsibility to abide by and promote the principles in this policy ensuring that:

- the policy is known, understood, and implemented
- where any member of staff has concerns about a student that may engage these powers, they should raise this with the Principal or their line manager without delay
- everyone is treated with respect and dignity in the operation of this policy.

4.2 The Quality Office will be responsible for:

- supporting the operational application of this policy
- maintaining records of any suspensions in line with data protection requirements
- ensuring the policy is published, communicated and reviewed on time
- coordinating with franchise partner providers on referrals under this policy.

4.3 The CEO/Principal will be responsible for:

- exercising the Emergency Powers of Suspension under this policy
- making the final decision in every case, including those involving students at franchise partner providers
- delegating duties to the NSCD Vice Principal where necessary
- reviewing every suspension within the initial 28-day period.

4.4 The Board of Governors will be responsible for:

- approving this policy and any subsequent revisions
- receiving reports on the use of the Emergency Powers and on any patterns or trends arising.

5. Communication of Policy

5.1 This policy will be published on the NSCD and franchise partner provider websites.

5.2 NSCD will endeavour to provide documents in different formats if requested by applicants, staff and students.

5.3 The induction of all staff (including staff at franchise partner providers handling NSCD-registered students) will include specific reference to this policy, with refresher information available as required.

5.4 Franchise partner providers will be supplied with the current version of this policy and notified of any material changes.

6. Legal Framework

6.1 This policy is operated consistently with NSCD's obligations under:

- the Equality Act 2010
- the Data Protection Act 2018 and the UK GDPR
- the Children Act 1989 and Children Act 2004 (in respect of students who are under 18)
- OfS Conditions of Registration
- the Office of the Independent Adjudicator for Higher Education (OIA) Rules.

6.2 Records relating to a suspension will be securely retained on the student's file in accordance with the normal retention period for student files. Where the student does not complete or withdraws from the programme while suspended, a record that the student registered and attended the School for the relevant period will be retained.

7. Breach of the Policy

7.1 Failure on the part of a student to comply with the terms of their suspension may result in referral into, and possible action under, the Non-Academic Misconduct Policy and Procedures, or Stage 4 of the Support Through Studies formal procedures.

7.2 Improper use of the Emergency Powers by a member of staff, or any failure by a franchise partner provider to refer a case to NSCD as required by clause 2.2, may be considered under the relevant disciplinary or contractual process.

8. Complaints

8.1 Any student who is suspended under this policy has the right to make a written or recorded statement of representations to the Principal (or their nominee) for consideration. These representations should normally be made within 10 working days of receipt of the formal suspension letter.

8.2 Staff, students or visitors who wish to make a complaint regarding the operation of this policy should first seek resolution through NSCD's complaints procedure:

- Student Complaints Policy & Procedures
- Staff Complaints Policy & Procedures
- Public Complaints Procedure.

8.3 A student who has exhausted NSCD's internal procedures and remains dissatisfied with the outcome may, where eligible, submit a complaint to the Office of the Independent Adjudicator for Higher Education (OIA). NSCD will issue a Completion of Procedures letter on request once internal procedures are concluded.

9. Related Documents

- Non-Academic Misconduct Policy
- Terms and Conditions
- Policy on Harassment, Sexual Misconduct & Related Behaviours
- Support Through Studies Policy
- School Safeguarding Policy
- Codes of Practice
- Academic Regulations & Credit Framework.

10. Key Contacts

Name	Role	Email
Chief Executive & Principal	Decision-maker under this policy	via the Principal's office
Head of Quality & Compliance	Lead contact for this policy	hannah.perry@nscd.ac.uk
Quality Office	Policy Oversight	quality.office@nscd.ac.uk
Designated Safeguarding Officer	Safeguarding (students under 18 / adults at risk)	safeguarding@nscd.ac.uk
Student Services	Student support / general enquiries	studentservices@nscd.ac.uk

Appendix A: Procedures

This appendix sets out the procedures that will be followed when the Emergency Powers of Suspension are exercised under this policy.

A1. Operational Information

A1.1 Timescales

A1.1.1 Where a student has been verbally notified of the Principal's (or their nominee's) decision to impose a suspension under these Emergency Powers, the School will confirm this briefly in writing (which may be by email) by the end of that **same working day**.

A1.1.2 A formal letter from the Principal setting out the details of the suspension will be issued normally within **3 working days** of the date of initial notification.

A1.1.3 The period of suspension shall **not normally exceed 28 calendar days** in the first instance, except in exceptional circumstances. All periods of suspension will be subject to regular review (see A1.4 below), and the suspended student will be notified in writing of the dates of forthcoming reviews and the corresponding outcomes.

A1.2 Procedure for instigating an Emergency Suspension

- i. A risk assessment is completed and signed off by two members of staff (one of whom may be the Principal where necessary).
- ii. If the Principal (or their nominee) is satisfied that grounds exist to impose an Emergency Suspension, the School will notify the student immediately. Initial notification may be verbal or in brief writing, for expediency.
- iii. A formal letter will be issued to the student by, or on behalf of, the Principal, normally within 3 working days of the initial notification. The letter will include:
 - the reasons for the decision to suspend
 - notification of the student's right to immediately submit written or recorded representations for consideration by the Principal, and how to do so
 - notification, if relevant, of any referral into other School procedures (e.g. Support Through Studies, Non-Academic Misconduct)
 - signposting to avenues of available support (including external support)
 - the name of a designated member of staff with whom the student can communicate throughout the suspension on any School-related matter.
- iv. Where the student is studying with a franchise partner provider, the partner provider will be notified of the decision and any conditions, in line with clause 2.2.

A1.3 Criminal investigations / pending criminal charges against a student

A student against whom a criminal charge is pending, or who is the subject of a police investigation, may be suspended by the Principal pending a Misconduct Panel investigation, hearing and/or trial. The Principal (or their nominee) has discretion to determine whether the nature of the alleged offence is such that the misconduct proceedings should be adjourned pending police and court proceedings.

A1.4 Review of a suspension order

A1.4.1 A review of the case by the Principal (or their nominee) will take place within the initial 28-day period of suspension, to determine whether the suspension may be lifted before or at the end of the imposed specified period.

A1.4.2 The period of suspension may be extended if the Principal (or their nominee) deems it necessary, but the reasons for any extension must be shared with the student in writing.

A1.5 Permanent exclusion

A1.5.1 A decision to permanently exclude a student from the School would only be made in conjunction with either the Non-Academic Misconduct Policy or the Support Through Studies Policy.

A1.5.2 A student will have the right to appeal a permanent exclusion through the relevant policy.

A1.6 Students who are under 18 years of age

Where a student, who is under 18 is being considered for suspension under this policy details of the procedure will be disclosed to the parent, guardian or other relevant agencies (e.g. the Police, Social Worker etc.).

A1.7 Data protection and management

In accordance with the Data Protection Act 2018 and the UK GDPR, where a student does not complete and/or withdraws from the programme while excluded or suspended under this policy, the documentary records relating to the suspension will be securely retained on the student's file in accordance with the normal retention period for student files. A record that the student registered and attended the School for the period of registered attendance will be retained.