

# Disciplinary Procedure (Students)

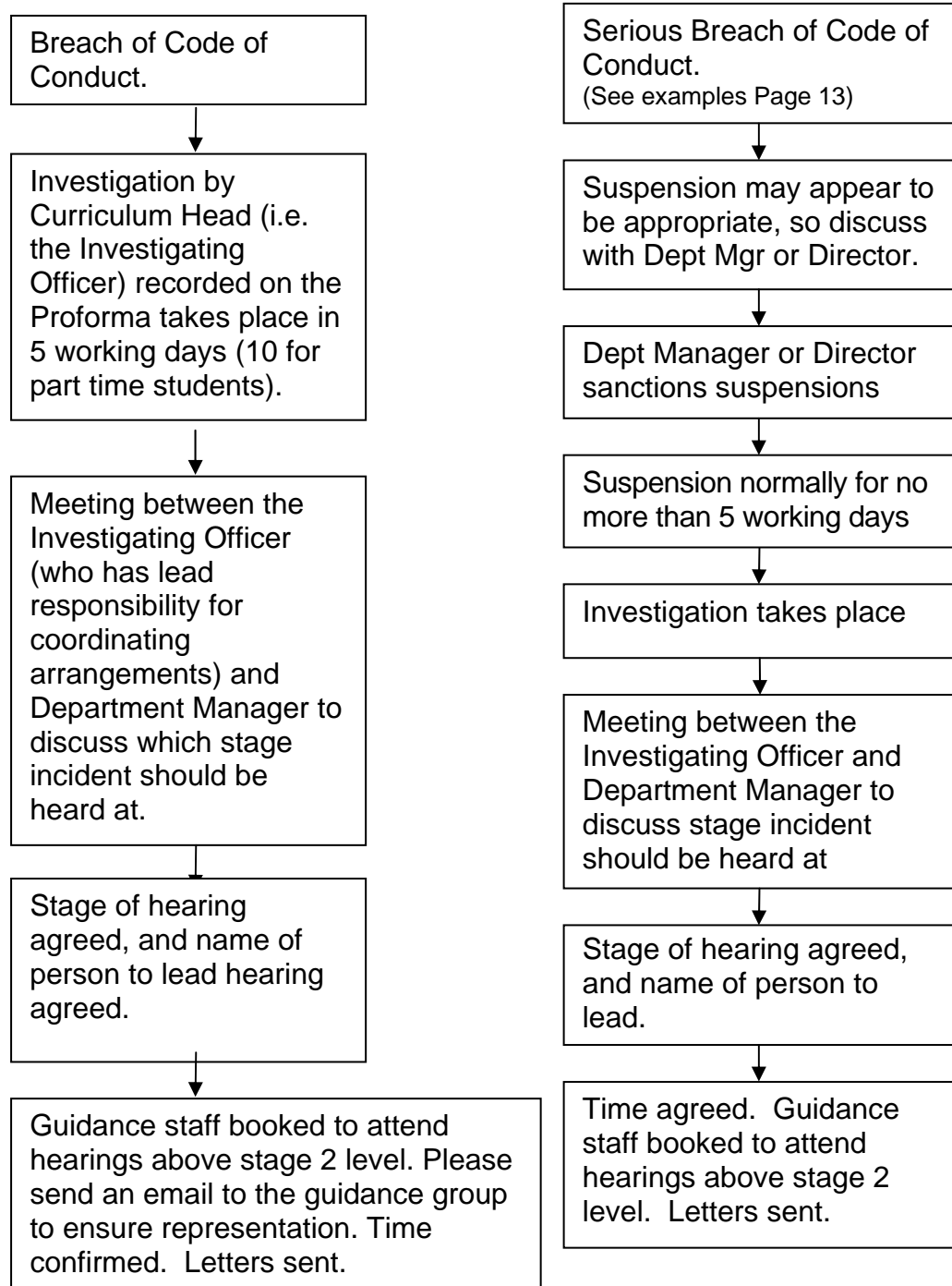


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Date of issue:	June 2005
Status:	Approved
Date of approval:	September 2005
Responsibility for procedure:	Director of Learner Services
Responsibility for implementation:	Executive Directors, Department Managers, Curriculum Heads
Responsibility for review:	Director of Learner Services
Date of last review:	July 2009
Date of last revision:	July 2009
Date of next review:	July 2012



## Overview of Procedural Steps



## DISCIPLINARY PROCEDURE OVERVIEW

### INVESTIGATING OFFICER'S REPORT

All Interviews to be recorded on the Investigation Proforma

Appendix 8 Disciplinary Procedure Investigating Officer's Report

Discussion of findings and joint decision taken with Department Manager re level of hearing.

Contact to be made with Guidance staff to confirm they can attend hearings above level 2 to ensure there is representation

	Stage 1- Verbal	Stage 2- Written	Stage 3- Final Written	Stage 4- Dismissal
<b>Nature of the Breach</b>	Initial breach e.g. <ul style="list-style-type: none"> <li>● Use of improper language</li> <li>● Disruptive behaviour/attitude in college</li> <li>● Inappropriate Internet usage</li> </ul>	(a) Further breach of the Code, previously dealt with at the lower level.  (b) Breach of the Code of a more serious nature e.g. <ul style="list-style-type: none"> <li>● Discriminatory language</li> <li>● Wilful damage</li> <li>● Copying - lack of intent</li> </ul>	(a) Further breach of the Code, previously dealt with at the lower level.  (b) Breach of the Code of a serious nature e.g. <ul style="list-style-type: none"> <li>● Bullying, intimidation including technology misuse</li> <li>● Copying - deliberate intent</li> <li>● Serious wilful damage</li> </ul>	(a) Further breach of the Code, previously dealt with at a lower level.  (b) Breach of the Code, which seriously endangers the safety of fellow students and staff e.g. <ul style="list-style-type: none"> <li>● Violent behaviour/intimidation</li> <li>● Harassment e.g. racial/sexual</li> <li>● Substance misuse</li> <li>● Assault</li> <li>● Fraud</li> <li>● Serious negligence</li> </ul> Serious abuse of the Internet
<b>Formal Hearing conducted by:</b>	Curriculum Head	Department Manager	Department Manager	Executive Director or one of Curriculum and Quality Directors
<b>Maximum sanction</b>	Verbal warning	First written warning	Final written warning	Dismissal from College
<b>Sanction given by</b>	Curriculum Head	Department Manager	Department Manager	Executive Director Curriculum and Quality Director
<b>Student can appeal to</b>	Department Manager	Executive Director	Director Learner Services	Vice Principal (Appeal's Panel)

Students should be encouraged to speak to Guidance staff throughout this process to ensure they are fully supported and aware of the consequences



## 1.0 Principles

- 1.1 Where circumstances permit, guidance and counselling will precede use of the Student Disciplinary Procedure. However this can not occur when a matter is deemed serious. A Breach of the Student Code of Conduct means the Disciplinary Procedure can be invoked.
- 1.2 In all cases where formal disciplinary action is contemplated, a disciplinary hearing must be convened at which the student concerned has the following rights:
  - (i) to have no disciplinary action taken until the case has been fully investigated<sup>1</sup>; in cases of suspected gross misconduct there may be immediate suspension.<sup>2</sup>
  - (ii) to be accompanied at the disciplinary interview by, a friend, a member of the Student Association or the NUS.
  - (iii) to have the nature of the complaint fully explained;
  - (iv) to have adequate opportunity to present his/her case at the disciplinary interview before any decision is made, before warnings are given or disciplinary action is taken;
  - (v) to have the right of appeal against any disciplinary penalty imposed.
- 1.3 The procedure may be implemented at any stage if the student's alleged misconduct warrants such action.

<sup>1</sup> The investigation should be held by someone without a vested interest in the outcome - usually the Curriculum Head. Enquiries should be made on a need to know basis, to ensure the highest level of confidentiality possible.

<sup>2</sup> Refer to section 3



- 1.4 A member of the Guidance Team will normally be present at all disciplinary and appeal interviews beyond stage 2 to ensure that the student's rights are upheld and that procedures are followed consistently. No formal minute will be taken, however the reasons for the hearing and the outcome will be recorded, using the Disciplinary Hearing Proforma, by the Investigating Officer for stage 1 and 2 and Guidance staff for stages 3 and 4
- 1.5 At each stage of the procedure, the student must be made aware of the next stage of the disciplinary procedure.
- 1.6 (i) Students will be notified of the outcome of the Disciplinary at their Hearing and also by letter sent recorded delivery (appendices 1-4). Students will be asked to sign the Disciplinary Hearing proforma
- (ii) Where a school pupil is involved<sup>3</sup>, a copy of the Disciplinary letter will be sent to the appropriate school member of staff by the Director of Educational Development.
- (iii) Copies of the outcome of Disciplinary Hearings will also be sent by the person leading the Hearing to appropriate employers, managing agents or other agencies, if this requirement is within the contractual arrangement with the College. The student must be made aware that this will happen. The College will liaise and co-operate as closely as possible with the Disciplinary Procedures of these organisations.
- 1.7 Students should be advised to keep their copy of any disciplinary letters issued to them, as well as a copy of any submissions they may make to the College.

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<sup>3</sup> If a school pupil is involved, please inform the School College partnership coordinator/Director of Educational Development as the school must be informed immediately of the situation. If these staff are unavailable, contact a member of the Guidance team. If a school pupil is suspended or dismissed from college then arrangements must be made to return the pupil to school immediately

**This does not prevent a disciplinary hearing taking place.**



## 2.0 Breach of Conduct – Staff responsibilities

When an alleged incident (e.g. disruptive behaviour) occurs the member(s) of staff involved, teaching or non-teaching, must take appropriate action to resolve the situation.

The member(s) of staff involved must put the details of the incident in writing to the Curriculum Head (within 1 working day). Details of the student(s) involved must be noted as well as all relevant information.

If a school pupil is involved, please report this to the School/ College Partnership Coordinator or Director of Educational Development, as the school must be informed immediately of the situation. School pupils must return to school if suspended. This does not prevent a disciplinary hearing taking place later once the investigation is completed.

If the person involved is under 16 years of age, but is not a winter leaver, then the parents/ guardians should be informed.

## 3.0 Investigation Overview

To be completed within 5 working days (10 for part-time students). The Curriculum Head (i.e. the Investigating Officer) must deal with the alleged incident immediately. If the Curriculum Head is involved in the incident, then an “impartial” Curriculum Head will be deemed the Investigating Officer by negotiation, and discussed with Department Manager.

Where an incident involves more than one Curriculum Head, only one person should be deemed the Investigating Officer, by negotiation. If an incident relates to students from different Directorates, then one Curriculum Head should do the investigation. The Curriculum Head should then discuss their report with the Department Manager from the other Directorate to ensure the evidence is considered by everyone. The stage of the hearing should be agreed. The hearing will be led by the Executive Director of the relevant institution. Guidance staff from Learner Services must be present at this type of multi-Executive hearing to ensure students’ rights are upheld.



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The Investigating Officer will interview on a need to know basis, to ensure the highest level of confidentiality possible (as appropriate):

- ❖ the student(s) being investigated
- ❖ other witnesses - students/staff/others

Findings should be noted on the Investigating Officer's Report (Appendix 8 **Disciplinary Procedure Investigating Officer's Report**) and signed by the interviewee.

The Investigating Officer will discuss their findings with the Department Manager to determine the degree of seriousness of the alleged incident and the level at which it should be heard. This does not mean that a decision has been made in advance of a hearing, only the maximum level of sanction that can be implemented by the person taking the hearing.

<b>Stage</b>	<b>Chair</b>	<b>Appeal to</b>
Stage 1 (Verbal)	Curriculum Head	Department Manager
Stage 2 (Written)	Department Manager	Executive Director
Stage 3 (Final Written)	Department Manager or C&Q Director	Director – Learner Services
Stage 4 (Dismissal)	Executive Director or C&Q Director	Vice Principal (Appeals Panel)



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## 4.0 Disciplinary Hearing Overview

After the Investigating Officer recommends the appropriate stage for the hearing the student must receive written notification by Recorded Delivery of the:

- ❖ Date, Time and Venue for the hearing (allowing 5 working days for the student to prepare a response from receipt of the letter).
- ❖ Nature of the breach of the Code of Conduct.
- ❖ Right to be accompanied at the Hearing by a friend, a member of the Student Association, or the NUS.
- ❖ Stage that hearing is being held at. This does not pre-judge the outcome only the maximum sanction that can be imposed.

A record of the Hearing must be kept using Appendix 9  
**Disciplinary Hearing Proforma (DHP)**



## 4.0 Time Frame Overview

(Except where a student is suspended –If suspension is involved, please see Section

6.0 Immediate Suspension – Gross Misconduct for suspension procedures)

<b>INCIDENT OCCURS</b>	
<b>Action</b>	<b>Timeframe<sup>4</sup></b>
Report of Incident to Curriculum Head	Within 1 day in writing
Investigation Officer hears and records evidence. Decision to proceed with Disciplinary.	Within 5 working days (10 working days if a student is part-time)
Notification of Disciplinary Hearing to student by Recorded Delivery	Within 1 working day after investigation is complete.
Hearing date to be 5 working days after receipt of Recorded Delivery letter, unless there is agreement between all involved to do so sooner <sup>5</sup>	Within 5 working days - after receipt of Recorded Delivery letter

<sup>4</sup> Where ever possible these timeframes will be upheld, however due to unforeseen circumstances this may not always be possible. Any change to these time frames will not be to the detriment of the student involved, and will be agreed with Guidance staff whose remit is to ensure procedures are followed consistently and fairly.

<sup>5</sup> Students should sign Proforma agreeing to waive notice (see Appendix 11 Change to Procedure Timelines page 26)



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## 5.0 Decisions

### Stage 1 (Verbal warning) Lead Responsibility – Curriculum Head

- (i) Issue verbal warning. Confirm in writing to student (see Appendix 1 for standard letter). It is important that these hearings are formalised so it is clear to students that this is part of an official process.
- (ii) Record details of the reason for the verbal warning, names of those involved, as well as the date and time of the hearing on the Disciplinary Hearing Proforma (D.H.P).
- (iii) Arrange that Registry staff send a summary letter (Appendix 1) to the student outlining the decision reached and any actions to be carried out. Copy of letter to be sent to Curriculum Head and Department Manager.
- (iv) Retain the master Disciplinary Hearing Proforma, Investigating Officers' Report and summary letter with the student's Learner Agreement for 3 months.
- (v) Where a timescale for improvement is agreed, this is monitored by the Curriculum Head.
- (vi) Ensure student is aware of next stage(s) in Disciplinary procedure, if there is:
  - ❖ no improvement in agreed timescale
  - ❖ another similar breach
  - ❖ a more serious issue
- (vi) Student may appeal in writing to the Department Manager within 5 working days.



## **Stage 2 (Written warning) Lead Responsibility – Department Manager**

If an alleged offence is more serious e.g. wilful damage, or is a repeated breach of the Student Code of Conduct, the investigating officer may decide that a stage 2 hearing be held. If the decision is a formal written warning, the Chair must:

- (i) Issue a formal written warning to student, which will be disregarded for disciplinary purposes after 6 months subject to satisfactory conduct and performance. (See Appendix 2 for standard letter).
- (ii) Ensure that the details and the reasons for the written warning, the names of those involved, as well as the date and time of the hearing are recorded on the D.H.P.
- (iii) Arrange that Registry staff send a summary letter by recorded delivery. (Appendix 2) to the student outlining decision reached and any actions to be carried out. Copy of letter to be sent to Curriculum Head, Department Manager and Executive Director.
- (iv) Retain the master Disciplinary Hearing Proforma, Investigating Officer's Report and summary letter with the student's Learner Agreement for 6 months.
- (v) Where a timescale for improvement is agreed, this is monitored by the Curriculum Head.
- (vi.) Ensure the student realises that further action may be taken if there is:
  - ❖ no improvement in the agreed time
  - ❖ a further similar breach
  - ❖ a more serious incident

Student may appeal in writing to the Executive Director within 5 working days (10 working days if a part time student).



### **Stage 3 (Final Written warning) Lead Responsibility – Department Manager**

If an incident is a further breach of the Student Code of Conduct, e.g. disruptive behaviour, or of a more serious nature, the hearing will be chaired by the Department Manager accompanied by a member of the Learner Services Guidance team, where possible, to record proceedings and ensure the student's rights are upheld. Guidance will ensure a copy of the completed proforma is given to the chair.

If the outcome of the hearing is a final written warning, then the Dept Manager must:

- (i) Issue the final written warning to student, which will be disregarded for disciplinary purposes after 6 months, subject to satisfactory conduct and performance. (See letter in Appendix 3).
- (ii) Ensure details of the reasons for the final written warning are recorded on the Disciplinary Hearing Proforma.
- (iii) Arrange that Registry staff send a summary letter by recorded delivery (Appendix 3) to the student outlining the decision reached and any actions to be carried out. A copy of the letter is to be sent to the Curriculum Head, Department Manager, Executive Director and Director of Learner Services.
- (iv) Retain the master Disciplinary Hearing Proforma, Investigating Officer's Report/s and the summary letter with the students Learning Agreement for 6 months.
- (v) Where a timescale for improvement is agreed, this is monitored by the Curriculum Head
- (vi) Ensure the student is aware that the next stage is dismissal if there is:
  - ❖ no improvement in the agreed timescale
  - ❖ a further, similar breach
  - ❖ a more serious breach
- (vii) Student may appeal in writing within 5 working days (10 working days if a part time student) to the Director, Learner Services.



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## **Stage 4 – Dismissal Lead Responsibility- Executive Director**

Dismissal can occur after one incident, if it is of a serious nature. In addition, if there is a previous history of misconduct and the action plan is not being followed then a Stage 4 hearing should be held.

The hearing will be chaired by the Executive Director, or a Curriculum and Quality Director, accompanied by a member of the Learner Services Guidance team to record proceedings and ensure student's rights are upheld.

If the outcome is dismissal, the Chair must:

- (i) Ensure the details and reasons for dismissal are recorded on the Disciplinary Hearing Proforma (DHP)
- (ii) Issue the Dismissal letter (see Appendix 4). Dismissal will last for a period of 6 months.
- (iii) Arrange that Registry staff send a summary letter by recorded delivery. (Appendix 4) to the student outlining decision reached. A copy of the letter should be sent or emailed to the Director of Learner Services.
- (iv) Retain the master DHP and the investigating Officer's report/s and a copy of the dismissal letter with the student's Learning Agreement for 6 months.
- (v) Ensure student is aware that an appeal can be made to the Vice Principal (Curriculum & Quality) or nominated representative, who will convene a Student Disciplinary Appeal's Panel comprising the Principal or nominated representative, an Executive Director not involved in the original decision and the Director Learner Services, or a nominated representative
- (vi) Inform Registry so the date of dismissal is recorded on SITS

**At this stage the student must NOT be offered the option to withdraw rather than be dismissed from the college.**



## 6.0 Immediate Suspension – Gross Misconduct

If a student is alleged to have committed an extremely serious breach of the Student Code of Conduct, e.g.

- ❖ violent assault on a student or member of staff, fighting, intimidation
- ❖ supplying illegal substances
- ❖ deliberate damage to College property
- ❖ serious negligence which causes unacceptable loss, damage or injury
- ❖ possession of alcohol or illegal drugs on college premises
- ❖ serious incapability through alcohol or being under the influence of illegal drugs
- ❖ theft, fraud, deliberate falsification of records
- ❖ serious breach of the Acceptable Use of the Internet and Email Policy
- ❖ a repeat of a previous offence at Stage 2 or 3

It is reasonable for a Department Manager to suspend the student pending investigation. In the event of the absence of the Department Manager, a Curriculum Head with approval from another Department Manager may implement a temporary suspension. Normally this would be for no more than five working days while enquiries and investigations into the alleged misconduct take place.

- Whenever possible, an investigation statement should be taken from the student before they leave the college. (Appendix 8 Disciplinary Procedure Investigating Officer's Report) If not, the student must be invited back into college for the investigation hearing. The disciplinary process will then be extended, but for no more than 10 days, in normal circumstances.
- Where a suspension has been invoked, hearings will automatically be held at stage 4, and the student should be informed of this at the point of suspension by issuing a Notice of Suspension (See



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Appendix 10 Notice of Suspension). This will provide the student with 5 working days notice.

- The Director /Department Manager will inform the student in writing of the suspension and what this entails (see Appendix 5). This letter should be sent recorded delivery.

The Investigating Officer will make arrangements to interview all concerned, i.e. the suspended student (Appendix 6) (unless statement already taken) and witnesses to the incident. (Enquiries should be based on a need to know basis, to ensure the highest level of confidentiality).

The disciplinary letter at Appendix 7 should be sent recorded delivery. All letters at this stage to be sent Recorded Delivery unless handed to the student in front of a witness before they leave the college premises.

## **7.0 Appeals Against Oral or Written Warnings - Stages 1 to 3**

- 4.1 A student who wishes to appeal against a disciplinary warning should do so in writing within 5 working days of the warning being issued (or 10 working days in the case of a part-time student).
- 4.2 Upon such an appeal being lodged, the recipient will hear all evidence to ensure an adequate opportunity is given for the student and the initiating member of staff to explain the circumstances. The student may wish to be accompanied by a friend, a member of the Student Association or the NUS.
- 4.3 This appeal should take place within 5 working days of the appeal being lodged.
- 4.4 In each case, the decision of the hearing appeal will be final. At the appeal any disciplinary penalty imposed will be reviewed, but it cannot be increased.



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## 8.0 Appeals Against Dismissal

Appeals against expulsion will be heard by the Student Disciplinary Appeal's Panel comprising the Vice Principal or nominated representative; an Executive Director not involved in the particular instance, and the Learner Services Director, or nominated representative.

The Student Disciplinary Appeal's Panel shall convene within 5 working days of an appeal being lodged. The Panel will review the case and interview the appellant student, who may be accompanied by a friend, a member of the Student Association or the NUS and also interview the Executive Director/Unit who initiated the decision to suspend.

The Student Disciplinary Appeal's panel may recommend that:

- (i) the decision to suspend by the Executive Director/ Unit be confirmed,
- (ii) another punishment be substituted, or
- (iii) the student be absolved.

The decision of the Student Disciplinary Appeal's Panel shall be communicated by the Vice Principal or nominated Representative to the student concerned in writing within 5 working days of the sitting of the Panel.

If the decision to dismiss is reversed, Registry must be informed so the student is not marked on SITS as being debarred from applying to college for the six month period which follows a dismissal.



## Letters

### Appendix 1

Date

Student Address

XXXX

XXXX

XXXX

Dear XXXX

### **Breach of Student Code of Conduct Confirmation of Verbal Warning**

This letter confirms the verbal warning that was given to you at the meeting held on \_\_\_\_\_ (insert date) for \_\_\_\_\_ (insert cause).

If this happens again **or** there are any problems linked to the way you follow the Student Code of Conduct, you will be dealt with at a more serious level of the disciplinary procedure. You may want to see one of the Guidance staff for more advice.

If you wish to appeal against this warning, you must do so in writing within 5 working days of receipt of this letter (10 working days if a part time student) to \_\_\_\_\_ (insert name) Department Manager. A copy of the college's Disciplinary Procedure is on the website or is available from Guidance staff (tel 01592 223414).

Yours sincerely

Name

Curriculum Head

(Note: specify briefly the time, place and nature of the disciplinary breach and the name of the Curriculum Head).

cc: Department Manager



## Appendix 2

Date

Student Address

XXXX

XXXX

XXXX

Dear XXXX

### **Breach of Student Code of Conduct Formal Written Warning**

This letter is a formal written warning which confirms the results of our meeting on \_\_\_\_\_ (insert date) for \_\_\_\_\_ (insert reason).

Please note that any further breach of the Student Code of Conduct may result in further disciplinary action being taken against you. You may find it helpful to see one of the Guidance staff for additional support and advice.

If you wish to appeal against this warning, you must do so in writing within 5 working days of receipt of this letter (10 working days if a part time student) to \_\_\_\_\_ (insert name) Executive Director. A copy of the college's Disciplinary Procedure is on the website or is available from Guidance staff (tel 01592 223414).

Yours sincerely

Name

Department Manager

(Note: specify briefly the time, place and nature of the disciplinary breach).

cc: Executive Director

cc: Curriculum Head



## Appendix 3

Date

Student Address

XXXX

XXXX

XXXX

Dear XXXX

### **Breach of Student Code of Conduct Final Written Warning**

This letter is your final written warning for not complying with the Student Code of Conduct.

Please note that any further issues may result in further disciplinary action being taken against you, including the possibility of exclusion/ expulsion from the College. You may find it helpful to see one of the Guidance staff for additional support and advice.

You have the right to appeal against this final written warning to the Director Learner Services within 7 days of receipt of this letter (10 working days if you are a part-time student). A copy of the college's Disciplinary Procedure is on the website or is available from Guidance staff (tel 01592 223414).

Yours sincerely

Name

Department Manager

(Note: specify briefly the time, place and nature of the disciplinary breach).

cc: Director, Learner Services

cc: Curriculum Head



## Appendix 4

Date

Student Address

XXXX

XXXX

XXXX

Dear XXXX

### **Breach of Student Code of Conduct Dismissal**

Following the formal Disciplinary Hearing held in the College on \_\_\_\_\_ (insert date), I have considered all of the facts presented and write to inform you of the decision.

Based on the evidence presented relating to \_\_\_\_\_ (Details of the incident), which is a serious breach of the Student Code of Conduct, the decision is that you are dismissed from the College. As a result of dismissal, you are not allowed to enter any College premises and can not apply for another course within the next 6 months.

You have the right to appeal against the dismissal. If you wish to appeal, you should do so in writing within 5 working days (10 working days if you are a part-time student) from the date of receipt of this letter to Shirley Scott, the Vice Principal, Curriculum and Quality who will convene a hearing with the Principal or nominated representative, as well as a Director not involved before, so you can present your grounds for appeal. A copy of the college's Disciplinary Procedure is on the website or is available from Guidance staff (tel 01592 223414).

Yours sincerely

Name

Executive Director

cc: Director, Learner Services

cc: Curriculum Head

cc: Department Manager



## Appendix 5

Date

Student Address

XXXX

XXXX

XXXX

Dear XXXX

### **Breach of Student Code of Conduct Suspension from College**

I am writing to confirm that you are formally suspended from The Adam Smith College, pending a disciplinary investigation and hearing.

The basis of your suspension is the serious nature of the alleged incident(s) that took place on \_\_\_\_\_ (insert date) in \_\_\_\_\_ (insert place).

I would remind you that whilst under suspension, you must not enter College premises unless you have been given permission by me, or Joan Howell, Director of Learner Services or you are invited in for a disciplinary hearing. Please bring any such letter with you as proof you are allowed on college premises.

A copy of the college Disciplinary Procedure is on the website or is available from Guidance staff (tel: 01592 223414).

Yours sincerely

Name

Executive Director

cc: Director, Learner Services

cc Team Leader Student Funding

Note: Specify briefly the time, place and nature of the disciplinary breach



## Appendix 6

Date

Student Address

XXXX

XXXX

XXXX

Dear XXXX

### **Disciplinary Investigation Meeting**

As part of the College disciplinary procedures, I have to meet with you to take a statement of your account of the breach of the Student Code of Conduct.

The meeting will be held on \_\_\_\_\_ (insert date) at \_\_\_\_\_  
(insert time) in \_\_\_\_\_ (insert room) of the \_\_\_\_\_  
insert campus) campus.

You may wish to be accompanied by a representative of the Students' Association. Another member of staff may be present to take notes of the discussion about your statement.

On arrival, please report to the Reception where I will come and collect you.

If a decision is taken to hold a Disciplinary Hearing you will receive a letter giving you the date, time and location of the Hearing.

Yours sincerely

Name

Investigating Officer



## Appendix 7

Date

Student Address

XXXX  
XXXX  
XXXX

Dear XXXX

### Disciplinary Hearing

A Disciplinary Hearing will be held on \_\_\_\_\_ (insert date) at \_\_\_\_\_ (insert time) in \_\_\_\_\_ (insert room) of the \_\_\_\_\_ (insert campus) campus. A member of the Learner Services team may be present to ensure procedures are followed and your rights are upheld.

This letter provides you with 5 working days notice as previously relayed to you. The Disciplinary Hearing will be held at Stage \_\_\_\_\_ (insert stage).

The Disciplinary Hearing is to consider \_\_\_\_\_.

If you decide not to attend, the hearing will be held in your absence.

A fellow student, friend, family member or a representative of the Students' Association may accompany you at the Disciplinary Hearing. A copy of the college Disciplinary Procedure is on the website or is available from guidance (tel 01592 223414).

Yours sincerely

Name  
(Chair of Disciplinary Hearing)



**Appendix 8 Disciplinary Procedure Investigating Officer's Report**

Please complete one form for each person being interviewed

Name of Investigating Officer	
Date of Investigation	
Nature of Alleged Incident	
Date of Alleged Incident	
Statement taken from	
Who was involved?	
What happened?	
Where did this take place?	
<p>Any other supporting information?</p> <p>Are there any diversity related issues e.g. Race? Sexual Orientation? If so, record details.</p> <p>Does the student have an Additional Support Need and a PLSP? Does it have any possible relevance to the incident? If so consult Learner Services learning support staff</p>	
<p>I confirm this is an accurate statement</p> <p>Signature of interviewee</p>	



## Appendix 9 Disciplinary Hearing Proforma (DHP)

Please tick box to indicate the stage at which the hearing is being conducted.

**This does not prejudice the outcome.**

Stage 1 Verbal	<input type="checkbox"/>	Stage 2 Written	<input type="checkbox"/>	Stage 3 Final Written	<input type="checkbox"/>	Stage 4 Dismissal	<input type="checkbox"/>
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Please tick box to indicate the outcome.

Stage 1 Verbal	<input type="checkbox"/>	Stage 2 Written	<input type="checkbox"/>	Stage 3 Final Written	<input type="checkbox"/>	Stage 4 Dismissal	<input type="checkbox"/>
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<b>Student</b>							
<b>Chair of Hearing</b>							
<b>Investigating Officer</b>							
<b>Reason for Hearing:</b>							
<b>Decision Agreed and any Actions:</b>							
<b>Does the student's PLSP need to change?</b>	<b>Yes</b>	<input type="checkbox"/>	<b>No</b>	<input type="checkbox"/>	<b>Date discussed with LSC</b>		
<b>Does the issue relate to other Diversity issues?</b>	<b>Yes</b>	<input type="checkbox"/>	<b>No</b>	<input type="checkbox"/>	<b>Date passed to Diversity Chair</b>		
<b>Is the student a school pupil?</b>	<b>Yes</b>	<input type="checkbox"/>	<b>No</b>	<input type="checkbox"/>	<b>Date passed to Director of Educational Development</b>		

**Student's Signature:**

**Chair of Hearing:**

**Date of Hearing**

Matters related to Diversity issues such as Disability, Ethnicity, Sexual Orientation, Gender, Religion or Belief and Age should be passed by the person recording the hearing to the Chair of the Diversity Committee for action, as the college has a responsibility to monitor incidents and take action to improve provision. Confidentiality will be taken account of, based on a need to know basis.



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**Appendix 10      Notice of Suspension**

This notice of suspension is to advise you that you have been suspended and will have a disciplinary hearing at Stage 4.

This notice ensures you are aware you will have **at least** 5 working days to prepare for your hearing from today

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I understand that I will have a disciplinary hearing and that I have at least 5 working days to prepare.

I know I can contact the Student Association for advice and that the Disciplinary procedure is on the website.

Name \_\_\_\_\_

Date\_\_\_\_\_

Signature \_\_\_\_\_

Cc Student, I.O.



**Appendix 11      Change to Procedure Timelines**

Investigation time is normally 5 working days for full time (10 for part time students).  
If a hearing is needed, then a further 5 days notice is given (10 for part time students).

If I am to have a hearing (Stage 1, Stage2, Stage 3 or Stage 4), I agree to it taking place sooner than the above time line.

I know this may mean I do not have time to consult others (e.g. Students' Association / Guidance staff).

Please note if a hearing is likely to be held at Stage 4 (i.e. serious breach) the Student Association may need the time to prepare.

Signature \_\_\_\_\_

Print Name \_\_\_\_\_

Date \_\_\_\_\_



## Appendix 12 Disciplinary Factsheet

If you have allegedly breached the College's Code of Conduct in some way, an investigation takes place.

1. An investigation is done by a Curriculum Head who becomes the Investigating Officer (IO). The IO checks out what has happened and takes statements from you and other people. This takes place over five working days, or ten days for part time students.
2. There will be a meeting between the Investigating Officer and the Department Manager to decide if the matter should go to hearing.
3. They will then agree what stage the hearing will be held at.
4. The IO will then make the arrangements – date, time and place. You will be told about this by letter and should be given five working days notice, unless you agree to the hearing happening sooner.

There are four stages that your Disciplinary could be held at. This does not mean that the result will be agreed at the stage of your hearing, e.g. a stage 3 hearing could end up with a stage 1 or 2 decision.

<b>Stage One</b>	<b>Verbal Warning</b>	On your record for 3 months
<b>Stage Two</b>	<b>Written Warning</b>	On your record for 6 months
<b>Stage Three</b>	<b>Final Written Warning</b>	On your record for 6 months
<b>Stage Four</b>	<b>Dismissal</b>	Not allowed in College for 6 months

The stage of a hearing depends on how serious the breach of conduct is. You can see examples of the different levels by going to the website, [www.adamsmith.ac.uk](http://www.adamsmith.ac.uk), but these examples are only a guide.

In cases where the breach is considered to be very serious you may be suspended. Please see the Disciplinary Policy and Procedures on the website for more information.

During the hearing, there will be three College members of staff present, each with a different role.

- **Chair** – Leads the hearing and is the person who will address you
- **Investigating Officer** – The Curriculum Head who has gathered the information prior to the hearing.
- **Guidance** – A member of Guidance is present for stages three and four to ensure that the hearing is fair, follows procedure and that your rights are upheld.

**You have the right** to be accompanied to the hearing by a friend, a member of the Student Association or the NUS for moral support. You will have a chance to speak at the hearing, your representative may also speak on your behalf if you wish, but must adhere to discussing the situation being investigated.

**You have the right** to appeal any decision made at your hearing within five working days, or in ten working days if you are a part time student.

We recommend that you should look at the full Disciplinary Procedures on the website [www.adamsmith.ac.uk](http://www.adamsmith.ac.uk) in the Student info section under the Policy and Procedures heading. Alternatively, you can request a copy from Guidance by phoning 01592 223414.