Student Code of Conduct and Associated Disciplinary Procedures

Introduction

The Caspian School of Academics (CSA) encourages and promotes a community of respect, trust and discipline. The School's Code of Conduct has been written to support its policy of establishing students' good behaviour, including in respect of academic conduct.

CSA recognises that students attend School to gain qualifications which will help them to enhance their career options. To ensure that all students can benefit from the learning experiences offered, it is important that everyone behaves in a way that is appropriate, polite and professional. We therefore have the same expectations of students that any professional organisation would have of its employees.

All students are expected to be familiar with this Code and to conduct themselves with due regard to the School's good name and reputation; and the rights of others and are introduced to the expectations of the Code as part of their Induction. The Student Code of Conduct provides a framework, underpinned by and linked to the School's Disciplinary Regulations including Anti-bullying and Harassment. The Code sets out expectations for appropriate behaviour to ensure that all staff and students can work together to create a positive environment in which learning and personal development can take place.

The Code of Conduct applies to all persons undertaking a course or programme offered by CSA. The policy is effective from the day that students accept an offer of a place on their chosen course and will remain in force whilst students are attending CSA or taking any part in any associated programmes or events (on the premises or otherwise) on behalf of CSA.

UK Quality Code for Higher Education Sector-Agreed Principles

Principle 3 – Engaging students as partners
Principle 9 – Recruiting, selecting and admitting students
Principle 10 – Supporting students to achieve their potential
Principle 11 – Teaching, learning and assessment
Principle 12 – Operating concerns, complaints and appeals processes.

Key Principles and Expectations.

The Student Code of Conduct sets out expectations as to what constitutes appropriate behaviour for students enrolled at CSA. It is important that all students understand that by enrolling for a course, they are agreeing to comply with the Code of Conduct.

A. Student behavioural expectations

1. All students are expected to be considerate to the needs of other students, staff and any visitors to the School.

2. All students are expected not to engage in any form of misconduct including sexual misconduct or harassment, which is intended or likely to disrupt teaching, learning, study, meetings, examinations, administration or other activities undertaken by or within the School. This also applies to activities held by CSA outside its premises. Where students misbehave, harass or engage

in any form of sexual misconduct, a 'Behaviour Incident Form' (Annex 1) will be completed and disciplinary action may follow.

3. All students must comply with and respect the rules of programmes including those relating to intellectual property, completion of assignments and attendance.

4. All students are expected to respect the property of the School and not use it for any unapproved purposes.

5. All students are expected to only use social media responsibly. Any use of social media to make statements which would reasonably be considered offensive, discriminatory, defamatory or personally damaging and/or which would have the effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating, or offensive environment for that person will be followed up and the author subject to the School's disciplinary procedures. Further, legal action may also be taken as required.

General Behaviour in School.

Students are required to:

- treat members of the School's diverse community and the School environment with respect and consideration;
- work hard to achieve their targets for aspiration, attitude, attendance and achievement;
- attend, on time, all timetabled classes, activities and individual/group tutorials/learning support;
- be equipped for all lessons or practical sessions with relevant materials and stationery;
- meet deadlines set for handing in work;
- actively engage with any work experience opportunity within their programme;
- respect the rights of others to freedom of belief or religion, orientation or practices, and freedom of speech;
- utilise online and media sites responsibly;
- observe appropriate dress codes;
- contribute to School life and the wider community;
- report any absence by phone or email no later than 9.30am on the day of absence;
- report unsafe, discriminatory or bullying behaviour;
- visibly wear School ID badge at all times whilst on campus.

Behaviour in lectures, workshops both online and face-to-face sessions.

Students are expected to act in a respectful and appropriate manner at all times. Students should ensure that they:

- arrive in time for the start of a lecture/session as late arrival is extremely disruptive to other students;
- when arriving after the start of a class, enter quietly so as not to disturb other students. Students who arrive **more than 15 minutes late will be marked as late, and those arriving 30 minutes after the start of a class may be marked as absent**;
- do not disrupt a lecture or training session or interfere with other students' ability to benefit from it;

- do not use mobile phones to take or make calls, to send or receive text messages, or to record or send images during teaching sessions. Special permission may be requested in exceptional circumstances;
- do not consume food or drink in class, other than water;
- ask permission if they wish to tape lectures.

Compliance with regulations and legal requirements.

All students must act in accordance with the law, and School regulations. The School does **not allow**:

- use foul or abusive language or disruptive behaviour;
- bullying or harassment of any kind, including sexual misconduct or any evidence of bullying, including cyber bullying, will result in immediate disciplinary action;
- posting of insulting, defamatory, obscene, extremist or threating content onto social media and online communications including texts and emails;
- smoking in any part of the School. Smoking is only allowed outside in designated areas;
- spitting on School premises;
- carrying of knives, guns or any other offensive weapon on School premises. Any student found to be in possession of any such weapon may be permanently excluded;
- any non-prescription drugs or alcohol onto School premises and any student who is under the influence of any drugs or alcohol may be required to leave the premises.

Behaviour in the School Neighbourhood.

The School seeks to build good relationships with its surrounding neighbours. Students are expected to:

- help us build on these relationships by the way they conduct themselves in the surrounding area;
- be considerate to their neighbours, especially regarding noise levels and rubbish;
- act within the law and not engage in activity or behaviour that is likely to bring the School into disrepute
- be aware that incidents involving local residents may lead to police action.

Off Campus Activities.

There are opportunities for students to undertake activities that will take them off campus. These include external trips and visits as well as work-related learning activities. Any student engaged in a course-related activity is seen as representing CSA, even if not formally doing so. During these activities students should adhere to the rules of the venue, of the transport companies and where appropriate any other outside organisations involved in the activity.

B. Definition of misconduct

At CSA, misconduct is improper behaviour or interference with the proper functions, services or activities of the School, or those who work or study at CSA, or action that may otherwise damage the School.

The following are examples of misconduct at CSA:

1. Disruption of, or improper interference with, the academic, administrative, social or other activities of the School, whether on the premises or elsewhere

2. Obstruction of, or improper interference with, the functions, duties or activities of any student, member of staff or other employee of the School or any visitor to the School

3. Violent, indecent, disorderly, threatening or offensive behaviour or language whilst engaged in any activity or on the School premises

4. Harassment including unwarranted conduct which would violate a person's dignity and create a hostile, humiliating or offensive environment

5. Any form of sexual misconduct which includes making sexually offensive comments about dress or appearance, the display or distribution of sexually explicit materials, harassment on the grounds of a person's sexuality or assumed sexuality or inappropriate touching

6. Fraud, deceit, deception or dishonesty in relation to the other students, or member of staff, submitted work or the School

7. Engage in vocal or active opposition to the fundamental British values, including democracy, the rule of law, individual liberty and the mutual respect and tolerance of different faiths and beliefs. [Prevent Duty linked to Section 29 of the Counter-Terrorism & Security Act 2015]

8. Posting offensive, inflammatory or defamatory statements about individual staff or students on to social media sites and online communications

9. Action likely to cause injury or risk health and safety on our premises or when engaged in work placement

10. Contravention of School policies and procedures

11. Harassment or any hostile behaviour towards any student, visitors or member of staff of the School or employer's staff when on work placement

12. Examination offences which constitute academic irregularities

13. Damage to, misappropriation or defacement of CSA' property or that of other members of the School staff or students

14. Misuse or unauthorised use of the School premises or items of property, including computer misuse

15. Conduct which constitutes a criminal offence by law

16. Behaviour that may bring CSA or its name into disrepute.

Disciplinary procedure

In instances where a breach of the CSA Student Code of Conduct takes place, any member of staff or supervisor, or any student who recognises that such a breach has taken place should notify a member of the teaching staff (normally their personal tutor), the Programme Manager, Head of Teaching and Learning, Head of Student Services or other senior manager as soon as possible. The Behaviour Incident Form should be completed. Senior staff will assist students and others with guidance as needed.

Informal resolution

It is primarily the responsibility of the student's tutor to ensure that a student understands and follows the above Code of Conduct. The School expects that this approach will minimise all such breaches of the School rules. Tutors are encouraged to discuss potential behavioural difficulties with any student thought to be in a position where s/he may commit a minor or major disciplinary offence. CSA advises all students to talk to their tutor informally to resolve issues.

Minor disciplinary Offences

a) Minor disciplinary offences will be considered by Programme Manager or authorised senior staff member (as appropriate) of the area in which the disciplinary action against the student would be taken.
b) The disciplinary action imposed may be:
    1. An oral warning (not recorded on the Student's file)
    2. A formal written warning (recorded on the Student's file for such period as is determined by the Programme Manager or authorised senior staff member)
    3. A fine for each breach of discipline. The amount of the fine will be determined by the Programme Manager or authorised senior member of staff
    4. Requirement that the student pay the cost of the damage caused in relation to loss of or damage to the School's property, or any additional expense incurred by the School or parties involved as a result of the student's action

c) The student who caused the offence shall be called to a meeting to discuss the (alleged) offence and given 5 days to respond fully to the accusation.

d) The student will be informed in writing within 10 days of the meeting of the outcome including any penalty imposed.

e) Where a student fails to comply with a disciplinary penalty set by a Programme Manager or authorised senior member of staff, action may be taken for serious disciplinary offences.

Serious disciplinary offences

a) A serious disciplinary offence is considered by the Principal and the Managing Director or authorised senior member of staff. Repeated occurrences of a minor disciplinary offence may be deemed to constitute a serious disciplinary offence and treated accordingly.

b) The penalties for serious disciplinary offences may be as follows:
    a. A requirement for a verbal or written apology to any affected person

b. A formal written warning (recorded on the student's file for such period as is determined by the Managing Director or authorised senior staff member)
c. A fine for each breach of discipline. The amount of the fine will be determined by the Chief Executive Officer (CEO) or authorised senior member of staff
d. Requirement that the student pay the cost of the damage caused in relation to loss of or damage to School property, or any additional expense incurred by the School or parties involved as a result of the student's action
e. Suspension or exclusion from specified facilities within the School
f. Any other resolution by the School that may be reasonable in the circumstances of the offence committed leading to a serious disciplinary action by CSA
g. Suspension or exclusion (permanent or temporary) of the student from the School
h. Notification of the offence to the police.

c) When a serious offence is committed by student, a disciplinary hearing will take place at which all parties involved should be present. The hearing shall convene an investigating team comprising a staff member, a student, and one of the Directors or the Principal and/or the CEO or authorised senior member of teaching staff.

d) A letter will be written to the student informing him/her of the behaviour which has led to the disciplinary hearing and to invite him/her to provide names of witnesses and written evidence which may include substantiated mitigating circumstances prior to the hearing.

e) The team will similarly provide the student with the names of witnesses and written evidence of the alleged offence.

f) The hearing shall be conducted in private. In conducting the hearing, the team shall ensure that the student has the opportunity to see all the evidence and that he/she is provided with an opportunity of making a statement in respect of any evidence presented

g) At the conclusion of the hearing, the student and the team shall retire from the meeting. The student will be informed in writing of the hearing's decision within 7 days

h) If the student is unable to attend the hearing with good reason, the student should notify the Programme Manager or authorised senior member of staff prior to the hearing. For instance, in the case of ill health, the student is to submit a medical certificate and the team will rearrange the hearing for a later date

i) Where the students fails to attend the hearing or provide sufficient justification for his/her absence, the team may hold the hearing in the student's absence.

j) Where an offence under the Protect Duty is identified, the evidence will be made available to the police and other identified external authorities.

Support for students during the disciplinary process

Staff are required to act impartially and ensure that students fully understand why they have been subject to the disciplinary process. Students must be given a chance to put their case and be told what will happen next.

Disciplinary action will require an Action Plan for improvement to be drawn up which sets out clear SMART targets and this will be recorded on School's record system. The student can expect to be supported by their lecturers, mentors and tutors and by their manager to address any underlying problems and be referred for additional/external support as appropriate.

Where the student is issued with a Final Written Warning the student must sign and agree an Action Plan. This will be closely monitored by the Programme Manager and the appropriate Associate Dean to ensure any conditions of the warning are met. Failure to comply with this will escalate the procedure and may result in the student's termination of studies. It may be necessary to convene a disciplinary hearing. This will be agreed with Dean and other Student Services staff available to support students through the disciplinary process, on request, and can refer students to other agencies for support. This is in addition to support from the student's Mentor and other tutors.

Where a student has a learning difficulty or disability and has a formally agreed support plan then the School will ensure that the student's needs are taken into consideration. This may result in reasonable adjustments to the disciplinary process but will not automatically remove the need for disciplinary action.

Students may ask to bring an advocate with them to support them in any disciplinary hearing or meeting.

Legal representation will not generally be allowed. The School will only consider requests for legal representation before any hearing that may lead to a student being withdrawn.

Reasonable Adjustments for students with learning difficulties and disabilities.

In applying the student disciplinary policy and process; staff need to be aware of the need to make appropriate reasonable adjustments in the application of the policy and process.

Reasonable adjustments to the process may include agreeing that a parent/carer or other appropriate adult should be invited to any behaviour meeting with an appropriate adjustment to the timing of that meeting if required.

Any other specific requests for reasonable adjustments can be raised by a learner at the start of their time at School and will be considered as part of their support package.

Suspension

Suspension is considered a neutral act and may be made to protect the interests of the student, of other students or of staff. Suspensions can only be made by a member of the Senior Management Team (SMT). Students will be informed of their suspension by letter or email.

Suspension will take place based on a balance of risk. Students who are suspended are expected to continue their studies by accessing their work online, continuing to submit work and to respond to teacher feedback. Suspended students are not allowed onto School premises except by appointment with a staff member. This could be for meetings, to sit an exam or to receive one to one support.

Following a suspension an Investigating Officer (IO) will be appointed and will produce a report into the allegation(s). This report will make a recommendation as to whether a disciplinary hearing should be called or not.

If the recommendation is to have a Panel convene to discuss the allegation(s) then the suspended student will be written to and invited to attend. It is usual that they will receive this invitation 5 days before the date of the Panel Hearing, although this may be waived if it is convenient for all parties and therefore have the Panel convene sooner. The student may be accompanied by one friend or advocate. If the student has Additional Learning Needs, they may also be accompanied by their learning support tutor or mentor and should indicate that this is something they would like to happen.

Suspensions are reviewed every two weeks to ensure that they do not last longer than necessary. Where the police are involved, the School will be proactive in seeking information from them as to the progress and outcome of any investigation. The police may advise the School on the risk posed by a student returning to School but any final decisions remain with the School. It should be noted that whilst a criminal allegation may be dropped, the School may still take disciplinary action based on the level of misconduct.

Appeals

A student may appeal the outcome of a Disciplinary Hearing, in writing and addressed to the Principal within 10 working days of the date of notification of the Hearing decision. The letter of appeal must state the grounds for appeal and meet one or more of the criteria identified below (sufficient grounds).

An appeal may be made on one or more of the following grounds:

- there is new additional evidence which was not reasonably available at the time of the original Hearing;
- there is mitigation for the sanction imposed that was not reasonably available at the time of the original Hearing;
- proper procedures were not followed;
- the decision is unreasonable and/or the sanction disproportionate.

Upon receipt of a request for an appeal, the Principal will consider the request and determine whether there are sufficient grounds for an appeal. If the Principal determines that there are no sufficient grounds stated, the Principal will write to inform the student of this within 10 working days of the date of receipt by the School of the request for appeal. If the Principal determines that there are sufficient grounds for an appeal, the Principal will refer the matter to a member of the SMT, not already involved in the case, to deal with the appeal. This may include inviting the student to submit further written representations in support of their appeal.

In all cases, an SMT member will act as the Disciplinary Appeal Facilitator. S/he will determine the format of the appeal, which could be a Disciplinary Appeal Hearing, a meeting with the appellant or a review of the case. Another member of the School staff will also be present to take notes of the Appeal Hearing, meeting or review.

Where a Disciplinary Appeal Hearing is called, the student will be normally be invited to attend the Hearing within 10 working days of the date of receipt of his/her appeal request by the School and will normally be given 5 working days' notice of the date, time and place of the Disciplinary Appeal Hearing. At the Disciplinary Appeal Hearing, s/he or his/her representative will be entitled to make oral representations to the Disciplinary Appeal Facilitator.

If either the student and/or any person accompanying and/or representing him/her is unable to attend, the student must inform the Disciplinary Appeal Facilitator of this immediately so that the School may consider whether an alternative date and time should be arranged for the Hearing. Where the student

and/or his/her representative does not, without good reason, attend the Disciplinary Appeal Hearing (or fails to attend on two or more occasions), the Disciplinary Appeal Chair may at his/her discretion determine that the Disciplinary Appeal Hearing may nonetheless proceed and a decision may be made in the absence of the student and/or his/her representative.

Any party calling witnesses at the Disciplinary Appeal Hearing must give written notice of so doing to the other party (including the name of each witness and the capacity in which they will be called) at least 5 working days in advance of the date of the Disciplinary Appeal Hearing.

Following the Disciplinary Appeal Hearing, the Disciplinary Appeal Facilitator will determine the appeal and may make one or more of the following decisions:

- to uphold the original decision/sanctions
- that the appeal be dismissed in whole or in part
- impose a lesser or alternative disciplinary sanction as is available
- refer the matter back to the original Disciplinary Panel to determine the matter again • refer the matter to a new Disciplinary Panel to determine the matter afresh
- convene a rehearing at the appeal stage, with the Principal.

The decision of the Disciplinary Appeal Hearing (together with reasons) will be communicated in writing to the student normally within 10 working days of the date of the Disciplinary Appeal Hearing and recorded on the student's file.

The decision of the Disciplinary Appeal Hearing is final and there is no further right of appeal to the School. The appellant will be provided with details of the ESFA or OfS should they wish to take further action.

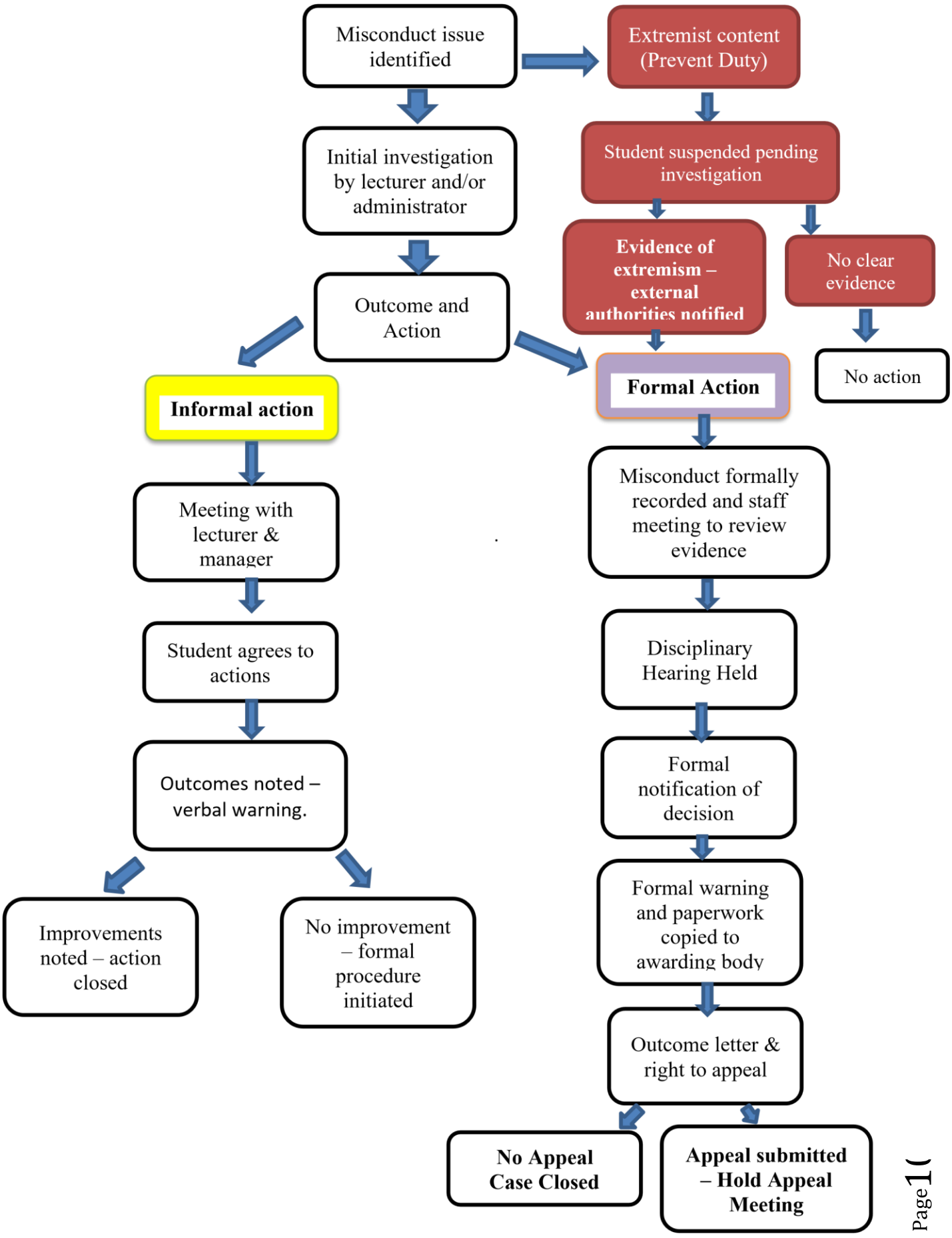
Prevent Duty.

In line with the Government's Prevent Duty, introduced by the Counter-Terrorism and Security Act 2015, the School has a clear duty to take disciplinary action against any form of suspected extremism. The Prevent Duty places responsibility on Higher Education Institutions to prevent students becoming involved in extremism and also to challenge extremist ideas where they are used to legitimise terrorism.

In response to the statutory requirement, the School has developed robust procedures for dealing with extremism. Any student found engaging with extremist organisations or trying to expose others to extremist views will be suspended pending further investigation into allegations, and the local authorities, including the police notified. To do this the School has robust arrangements in place to mitigate the risks that people might be drawn into terrorism, including the use of Firewalls to stop dangerous materials being accessed and shared, and safeguarding staff available to all students.

For future information please see the Safeguarding and Preventing Radicalisation and Extremism Policy available on the Moodle link.

Flow Chart – Disciplinary Procedure



Caspian School of Academics

Annex 1

Behaviour Incident Form

This form is to be completed by CSA student or member of staff where a student or students have been involved in a possible disciplinary incident.

Student Details (please complete a separate form for each student)			
Surname		**Forename**	
Student Number		**ID Number**	
Incident Details:			
Date incident took place		**Location incident took place**	
Please give details of incident – please give as much information as possible (continue on additional sheet if needed)			
Please give details of any action taken by yourself in regards to this incident			

FOR OFFICE USE ONLY	
Actions Taken :	
DECLARATION I confirm that the information provided on this form is true and correct.	

Name	
Signature	
Date	