

Student Code of Conduct and Disciplinary Policy and Procedure

1.8 – May 2022

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1 Context

- 1.1 INTO is committed to providing a learning and living environment in which students can thrive and participate freely. Good conduct on the part of all members of the INTO community is essential for the well-being of all concerned.

2 Code of Conduct for Students

- 2.1 The code of conduct is designed to encourage all students to meet the standards of behaviour, attendance and work performance expected by INTO UEA. Students are held responsible and accountable for their conduct. While it is not possible to set out all standards, those listed in section three are general standards of conduct which, if broken, are likely to result in disciplinary action being taken.

3 Expectations

- 3.1 Students at INTO UEA are expected to:
- Treat everyone with respect and fairness regardless of differing culture, ability, race, gender, age, religion, sexual orientation or disability and make sure that their behaviour does not make any other person feel uncomfortable or intimidated.
 - Follow the rules and regulations of INTO UEA and the University.
 - Be considerate to the rights and interests of other INTO users.
 - Attend all classes. If unable to attend classes due to illness, report to the Academic Support team at the start of the day.
 - Check, read and act upon their University email every day.
 - Take personal responsibility for their own learning and make active use of the Resource Centre, University Library and support services.
 - Complete all assignments on time and not plagiarise (i.e. copy the work of another person without acknowledgement).
 - Seek help from their personal tutor if they need it.
 - Act safely so that they do not put themselves or others at risk and follow any health and safety requirements.
 - Carry their campus card at all times whilst on campus and be prepared to show it, on request, to any member of INTO staff or member of University staff.
 - Pay all fees and fines promptly.
 - Follow the terms and conditions of their accommodation licence if living in the INTO UEA Centre.
 - Attend meetings or interviews punctually if requested by a member of INTO UEA staff.
 - Treat the property of INTO UEA, the University and others with respect.
 - Act according to UK law.
 - Inform INTO of any changes in your personal details or address.
 - Behave in a responsible manner.

4 Disciplinary Action

- 4.1 Any student who fails to meet INTO UEA's expectations for behaviour and conduct, including class attendance, is likely to face disciplinary action.
- 4.2 The student disciplinary procedure is designed to:
- Ensure procedural fairness.
 - Encourage all students to meet the standards of conduct, attendance and performance required by INTO UEA and the University.
 - Ensure consistent and just treatment for all students regardless of their ability, race, gender, age, religion, sexual orientation or disability.
 - Ensure that the facts are established and the matter is investigated fully before disciplinary action is taken.
 - Ensure that students know what is expected of them.
 - Ensure that students are given access to a fair hearing.
- 4.3 In all cases where formal disciplinary action is taken against a student, an investigation will be carried out. The student will be interviewed and will have the right to respond to the allegation and be entitled to be accompanied by a friend or colleague. A language advisor or interpreter should also be made available to the student and interviewer if requested by either party.
- 4.4 Each case will be investigated on its own merits, and decisions are normally based on the balance of probability that an incident did or did not take place. In all cases the results of disciplinary action will be put in writing to the student. Where appropriate the parent will be informed of the results of the disciplinary action, either directly or through their agent.
- 4.5 For repeated non-attendance, repeated misconduct or cases of gross-misconduct, the Centre Director has the authority to permanently exclude the student from INTO.

5 Criminal Activity

- 5.1 INTO UEA reserves the right to report potentially criminal activity to the police, and/or to advise the victims of such activity of their right to do so. If an incident is serious and of a criminal nature a decision will need to be made as to whether to defer disciplinary action pending the outcome of criminal proceedings. In exceptional circumstances a decision may be made to suspend the student until the outcome of proceedings is known.
- 5.2 Because of the difference in the burden of proof between criminal cases (based on the principal of 'beyond reasonable doubt') and disciplinary proceedings (based on the principal of the balance of probability), the decision of the police not to prosecute (or a not guilty verdict in court) does not preclude INTO UEA from proceeding with the matter as a disciplinary matter.

6 INTO UEA Disciplinary Policy

6.1 Informal Stage

In most cases, it will be possible to deal with a non-serious or minor first instance of misconduct informally. In such instances the member of staff dealing with the matter will:

- Ensure that the student is clear about the behaviour which was deemed unacceptable.

- Advise the student of the standard of behaviour expected and refer them to the Student Code of Conduct.
- Advise the student that any further misconduct will be dealt with formally under INTO UEAs Disciplinary Procedure.
- If necessary and/or appropriate a language advisor should attend to ensure that there is no misunderstanding between the student and the member of staff involved.

6.2 Formal Stage

All students are responsible and accountable for their behaviour and conduct while they are at INTO UEA. It is not possible to detail all unacceptable behaviour but INTO UEA considers the following to be examples of misconduct:

- Physical violence
- Disruption of classes
- Failure to attend classes without good reason
- Verbal threats
- Abuse to students, staff or visitors of INTO UEA and the University
- Wilful damage to, or theft of, INTO UEA property or the property of the University
- Deliberately setting off fire alarms
- Ignoring fire alarms or any other Health and Safety regulations
- Any activity that is unlawful under UK law, including possession, supply or use of illegal substances
- Failure to follow the rules set out in the accommodation licence terms and conditions signed by each student living in the INTO UEA Centre
- Behaviour which brings the name of INTO UEA or the University into disrepute

6.3 Investigation

The Head of Student Services or the Academic Director will undertake or commission an investigation into the alleged misconduct which will take place before a disciplinary interview is held or disciplinary action is taken. This is likely to involve interviewing and gaining information from staff and students who were involved or witnessed the alleged misconduct. In the case of non-attendance, registers will also be examined. Investigations will be recorded in writing.

Students involved in the investigation may be accompanied at interview by a friend or supporter.

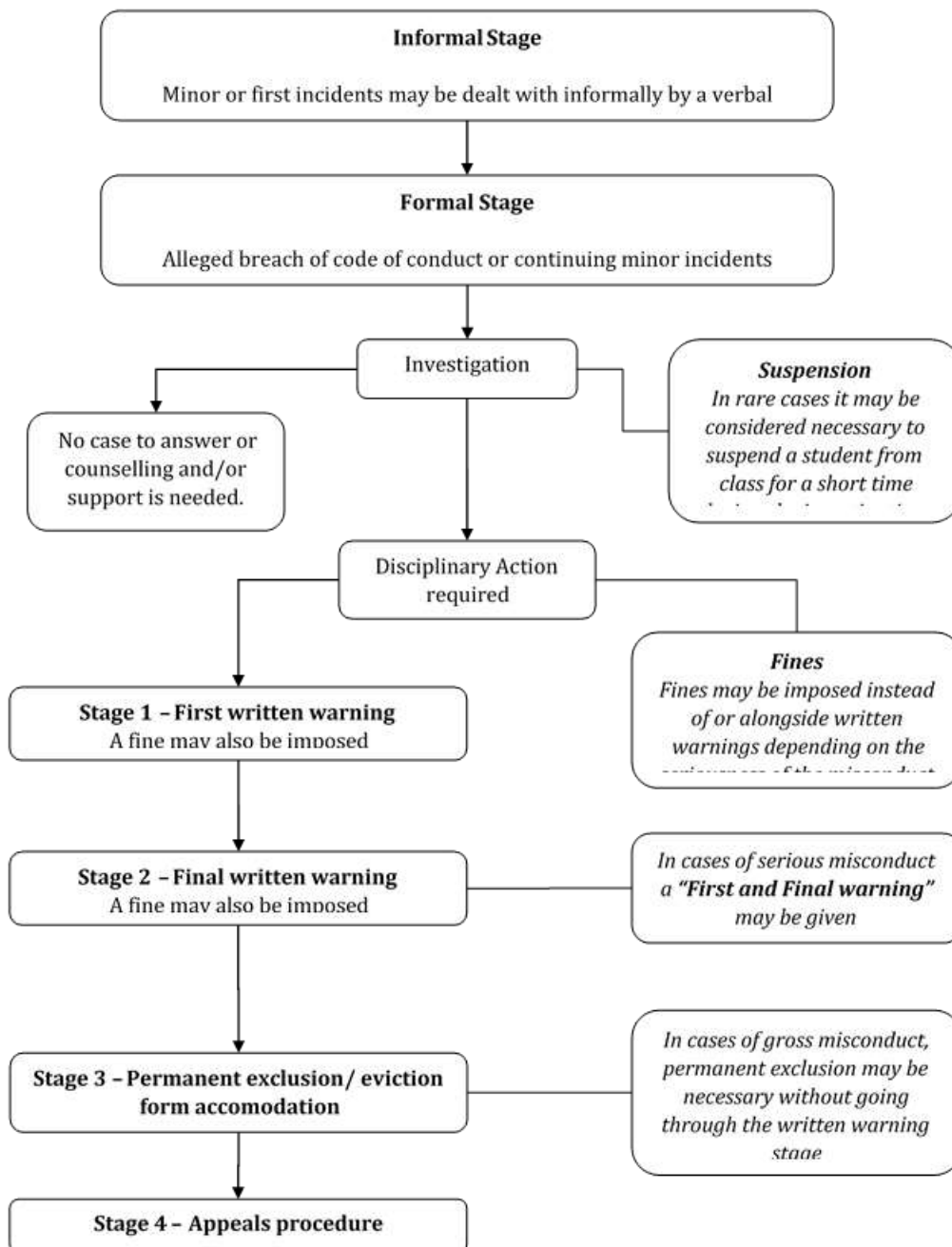
Students or staff involved in the interview may call on a language advisor or other interpreter to ensure that there is no miscommunication.

6.4 Outcome and Action

The following outcomes of the disciplinary investigation are possible:

- There is no case to answer
- Student offered counselling or support
- Allegations appear to be substantiated and there is no case to answer
- Where there is a case to answer. Disciplinary action will be taken within the disciplinary framework.

7 Overview of Disciplinary Procedures



8 Disciplinary Framework

8.1 Fines and Costs

At any stage of the formal disciplinary process a fine, not to exceed £200, may be imposed on the student, either instead of a written warning or alongside a written warning, depending on the seriousness of the misconduct.

The outline of fines for students in residential accommodation is provided in the Standards of Behaviour in Residential Accommodation. Fines may be imposed for misconduct other than those in the Standards of Behaviour in Residential Accommodation. If there is a repeat offence, more severe sanctions will be imposed.

All fines and costs must be paid by the student to the Finance Office within 5 working days of the fine and/or costs being confirmed in writing.

8.2 First Written Warning

In cases too serious for informal action, or where misconduct persists despite informal warnings, a first written warning should be given to the student.

In such instances the Academic Director, Head of Student Services or Programme Manager will:

- Give the student a copy of this Student Code of Conduct and Disciplinary policy and Procedure.
- Notify the student of the date and time of a disciplinary interview ensuring that the student is aware that he/she may bring a friend or supporter to the interview and may request a language advisor or interpreter to be present.
- Hold a disciplinary interview with the student, ensuring that a language advisor or other interpreter is present if necessary.
- Ensure another member of INTO UEA staff is present to minute the conversation.
- Confirm the outcome in writing within three working days of the disciplinary interview, including information of the right to appeal against the decision.
- Send a copy of the written warning to parents, if the student is under 18 years of age.
- Send a copy of the written warning to parents of students over the age of 18 if appropriate.
- Record the action taken and a copy of the warning letter on the student's file.

8.3 Final Written Warning

If further misconduct occurs following previous informal and written warnings, a final written warning should be given to the student.

The student should be informed that further misconduct or failure to meet the conduct or behaviour and the standards expected of them will result in permanent exclusion from INTO UEA.

The student's parent or sponsor will be notified of the final warning provided we have consent to share information with the relevant party.

8.4 Suspension

In rare cases it may be considered necessary to suspend a student from class for a period of 5 to 10 days. The decision to suspend a student will rest with the Academic Director and will be considered if the alleged misconduct is serious and considered to be detrimental to the running of the course. Suspension may need to be considered while the case is being investigated.

In such cases the student will be informed in writing of the reason for the suspension and the period of suspension. The student will also receive a reintegration meetings at the end of the suspension period prior to being reintroduced into classes.

If the student is under 18 years of age the parent will be informed of the suspension. In all other cases notification of the parents or sponsor will be considered as appropriate.

If the student is under 18 years of age, they will be instructed to report to the Academic Support team daily (see suspension report sheet). If the student is over 18 years of age, the Academic Director will decide if the student should report daily.

8.5 Permanent Exclusion

It may be necessary to permanently exclude a student who has failed to respond appropriately following a final written warning. In extreme cases it may also be necessary to permanently exclude a student without going through the normal written warning route.

8.6 Examples of Gross Misconduct

In cases of gross misconduct INTO UEA reserves the right to permanently exclude a student without any warnings being given. Examples of gross misconduct are:

- Theft or unauthorised possession of any property or facilities belonging to INTO UEA, the University or any member of staff or student.
- Wilful serious damage to the property of INTO UEA, the University or any member of staff or student.
- Deliberate falsification of INTO UEA documents, records and coursework.
- Deliberate falsification of academic certificates or transcripts or presenting bogus transcripts or certificates to secure a place at INTO UEA or the University.
- Serious negligence which causes unacceptable loss, damage or injury.
- Violent or dangerous conduct.
- Deliberately ignoring the rules and procedures of INTO UEA or the University concerning health and safety which poses a serious threat to the student or others.
- Harassment, bullying victimisation or discrimination against another student or staff member on any grounds including differing culture, ability, race, gender, age, religion, sexual orientation or disability.
- A criminal offence which may adversely affect the reputation of INTO UEA or the University, or the student's suitability to continue on the course e.g. the supply of illegal drugs.
- Any behaviour which brings INTO UEA or the University into disrepute.
- Repeated breaches of the Code of Conduct.

8.7 Permanent Exclusion Procedure

The final decision to permanently exclude any student rests with the Centre Director. The student will be notified of their right to appeal to the University Disciplinary Committee.

In cases where the decision is made to permanently exclude a student, Student Services will:

- Immediately contact the student's parent or sponsor to notify them of the decision.
- Ensure that arrangements are in place for the safe return home of the student.
- Inform UKVI of the exclusion (pending the outcome of any appeal if applicable), including the date of return home and airport.

9 University Regulations

- 9.1 Students are bound by the rules and regulations of the University as well as INTO UEA. A student's misconduct may constitute a breach of the University regulations as well as those of INTO UEA and the University may choose to refer the matter to the University Disciplinary Officer independently of any action taken by INTO UEA.
- 9.2 In all cases where it comes to the attention of INTO UEA staff that a student has been referred to the University Disciplinary Officer, the Head of Student Services or the Academic Director will liaise with the University Disciplinary officer. If the student is facing disciplinary action by both INTO UEA and the University, a joint approach should be agreed if at all possible.

10 Appeals

10.1 Appeals against Written Warnings or Fines

Students will be notified that they may appeal against written warnings or fines in writing to the Centre Director.

The appeal must be made within 10 working days of the receipt of the warning letter being issued.

The Centre Director will conduct an appeal interview within 10 days, having received relevant reports.

The Centre Director will notify the student of the result of the appeal within five working days of the appeal interview.

10.2 Appeals against Permanent Exclusion

Students will be notified of their right to appeal to the University Disciplinary Committee against permanent exclusion and will be informed how to make the appeal in line with University procedure.

11 Academic Complaints and Concerns

- 11.1 For academic complaints please refer to the UEA Partner Institution Academic Appeals/Academic Complaints procedure.

