Disciplinary Procedure
UCEM Apprenticeship Students

Reference:
Version: 1.00
Status: Final
Author: John Pratt
Date: 13/09/2017
File:
Approval History

<table>
<thead>
<tr>
<th>Version</th>
<th>Date</th>
<th>Name</th>
<th>Organisation</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.00</td>
<td>13/09/2017</td>
<td>ASEC Chair’s Action</td>
<td>UCEM</td>
</tr>
</tbody>
</table>

Document History

<table>
<thead>
<tr>
<th>Version</th>
<th>Date</th>
<th>Reason</th>
<th>Person</th>
</tr>
</thead>
<tbody>
<tr>
<td>V00.01</td>
<td>24/07/2017</td>
<td>Initial draft</td>
<td>J Pratt</td>
</tr>
<tr>
<td>V00.02</td>
<td>25/07/2017</td>
<td>Draft for presentation to ASEC</td>
<td>J Pratt</td>
</tr>
<tr>
<td>V00.03</td>
<td>01/09/2017</td>
<td>Incorporation of comments from ASEC</td>
<td>J Pratt</td>
</tr>
</tbody>
</table>
# Table of Contents

1. *Introduction and Purpose*........................................................................................................ 1

2. *Disciplinary Procedure* ........................................................................................................ 1

2.1 Stage One ................................................................................................................................. 1

2.2 Stage Two ................................................................................................................................. 1

2.3 Stage Three – Final Disciplinary ............................................................................................ 2

3. *Right of Appeal* ....................................................................................................................... 3

3.1 Appeal (other than against exclusion or termination) ............................................................... 3

**Appendix A: Apprenticeship Student Stage 1 Disciplinary Record**................................. 5

**Appendix B: Apprenticeship Student Stage 2 Disciplinary Form**................................... 6

**Appendix C: Apprenticeship Student Stage 3 Disciplinary Form**................................... 8

**Appendix D: Stage 3 Disciplinary Meeting Membership**.................................................. 10

**Appendix E: Apprenticeship Student Disciplinary Process**.............................................. 11

**Appendix F: Witness Statement Form**................................................................................... 12
1. Introduction and Purpose

This procedure sets out the actions that may be taken if a UCEM apprenticeship student does not meet UCEM’s Apprenticeship Student Conduct Expectations document.

By signing UCEM’s Registration Agreement, apprenticeship students are agreeing to comply with UCEM policies and procedures. If a student fails to meet UCEM’s Apprenticeship Student Conduct Expectations document, the Apprenticeship Student Disciplinary Procedure (detailed below) may be applied. Employers and parents/guardians may be informed, as set out in the UCEM Apprenticeship Student Disciplinary Policy.

2. Disciplinary Procedure

Students whose conduct and/or behaviour is not of the required standard are liable to be disciplined. UCEM operates a three-stage procedure, which, in general, will be followed for dealing with both unsatisfactory performance and behaviour. In exceptional circumstances, a UCEM Apprenticeship Team Manager or a UCEM Vice Principal may deem it appropriate to forgo Stage 1 and/or Stage 2.

In cases of suspected or alleged major misconduct and/or where there is an identified risk of criminal activity involved, the UCEM Principal will normally authorise temporary exclusion whilst an investigation is carried out, which will be followed by a Stage 3 disciplinary meeting.

Please see Appendix E for a diagram summarising the disciplinary process.

Where offences are criminal, UCEM may report these to the relevant authorities. Action taken under the Apprenticeship Student Disciplinary Policy and Procedure may be deferred until the police action, criminal proceedings and/or civil proceedings against the student have been concluded. The student would be notified of any such deferral.

2.1 Stage One

In the first instance, the student will normally receive a formal verbal warning from the relevant member of UCEM staff. The verbal warning will usually occur immediately following the offence, and no later than 5 working days after. The relevant member of staff will complete a Stage One form and provide a copy to the student, the student’s Apprenticeship Coordinator and the student’s employer within 20 working days of the offence. Records will be kept on the student’s file for the duration of the apprenticeship programme, and a further breach of the Apprenticeship Student Code of Conduct will result in a disciplinary being taken to Stage 2.

2.2 Stage Two

In the second instance, or in more serious cases of disciplinary matters, a student is required to attend a Stage 2 disciplinary meeting with the Head of Apprenticeship Enhancement, the Head of Academic Apprenticeships and the relevant Head of Faculty/Department, who will consider the case and make recommendations for further actions. A note taker will also be in attendance.

The relevant UCEM staff member will complete the Stage 2 form (see Appendix B) and submit it to the Head of Apprenticeship Enhancement, the Head of Academic Apprenticeships and the relevant Head of Faculty/Department, with all relevant evidence.
Disciplinary Procedure

Evidence may include, but is not limited to, witness statements (please see Appendix F for the Witness Statement Form), attendance records, e-mails and social media and/or virtual learning environment (VLE) posts.

The member of staff will arrange a meeting through the student’s Apprenticeship Coordinator, and the student will be invited to a meeting by letter with a copy of the Stage 2 form attached. The meeting will be held within 20 working days of the suspected offence. The student should be accompanied by their employer. Where the student is aged under 19 or where the student is a 19-24 year old care leaver, the student’s parent/guardian shall be informed and the student’s parent/guardian may also attend the Stage 2 meeting.

The outcomes of the Stage 2 disciplinary meeting will be sent to the student, the employer and – where relevant – the parent/guardian in writing, within five working days of the meeting. The letter will detail the actions arising from the meeting and the consequences of not meeting those actions. Records will be kept on the student file, and a further breach of the Apprenticeship Student Code of Conduct will result in disciplinary action being taken to Stage 3.

2.3 Stage Three – Final Disciplinary

Should further improvements not be made, or in the most serious cases of disciplinary matters, the student will be invited to a Stage 3 disciplinary meeting with a member of UCEM’s Senior Leadership Team (SLT), usually a Vice Principal or Dean and the student’s Head of Faculty/Department, who will consider the case and make recommendations for further actions. This could lead to temporary exclusion or the termination of study by the Principal, or on the authority delegated to the Deputy Chief Executive Officer (DCEO). The relevant UCEM staff member will present the Stage 3 form to the SLT member, with the relevant evidence.

Evidence may include, but is not limited to, witness statements, attendance records, e-mails, social media and/or VLE posts. The SLT member will invite the student to a meeting by letter, specifying the date and time of the meeting, and a copy of the Stage 3 form (see Appendix C) outlining the circumstances leading to the disciplinary action being taken.

The meeting will be held within 20 working days of the suspected offence. The student should be accompanied by their employer. All students are entitled to bring one additional person for support, which could be a parent/guardian, colleague, friend, the UCEM Lead Student Representative or employer-designated support. This person cannot be a legal representative. They should play no active part in the meeting except to offer support to the student. Where the student is aged under 19, or where the student is a 19-24 year old care leaver, the student’s parent/guardian shall be informed and the student’s parent/guardian may also attend the Stage 3 meeting.

The outcomes of the Stage 3 disciplinary meeting will be sent to the student, the employer and – where applicable – the student’s parent/guardian in writing, within five working days of the meeting. The letter will detail the actions arising from the meeting, and the consequences of not meeting those actions. This may be the final written warning, and failure to comply with conditions set out in the letter and/or any further breaches of the Apprenticeship Student Conduct Expectations document could result in temporary exclusion or the termination of study. In the latter circumstance, the student will be offered the support of UCEM’s Careers Adviser to source further learning/employment opportunities. The student may be excluded from UCEM, either temporarily or permanently, on the authority of the Principal, or on the authority delegated to the Deputy Chief Executive Officer (DCEO).
Disciplinary Procedure

3. Right of Appeal

Any decision to impose a sanction as a result of a disciplinary offence, including the termination of study, is subject to the student’s right of appeal. A decision to exclude or terminate a student’s study is subject to the student’s right of appeal under the UCEM Code of Practice: Complaints and Appeals. Students wishing to appeal against any other sanction imposed under the Apprenticeship Student Disciplinary Policy may submit an appeal as per the terms outlined in Section 10.1, below.

3.1 Appeal (other than against exclusion or termination)

The appeal must be made in writing to appeals@ucem.ac.uk within 10 working days of the written confirmation of the disciplinary decision, and must specify the grounds on which it is based.

The appeal will only be considered on one or more of more of the following grounds:

   i. New and relevant evidence has come to light which was not known at the time the decision was made, and would have resulted in a different decision being made.

   ii. There was an administrative or procedural irregularity in dealing with the disciplinary matter, which materially disadvantaged the student.

   iii. Evidence has come to light to show that the outcome reached at an earlier stage was unreasonable.

The appeal submission must include evidence and an explanation to show why one or more of the above grounds have been met.

The appeal will be considered by a member of the UCEM Senior Leadership Team (SLT) who has had no previous involvement with the case.

An appeal will be rejected if it is made out of time or does not meet the grounds for appeal stated above.

The member of the SLT will consider whether the procedures were followed correctly, and whether the decisions made were reasonable in the circumstances. They will make one of the following decisions:

   i. No further action (original decision and sanction stands);

   ii. Defer the decision pending further information;

   iii. Remove sanctions;

   iv. Amend outcome/findings;

   v. Amend sanctions;

   vi. Refer the matter back to an earlier stage in the process (e.g. if the procedure had not been followed and/or new evidence has become available).

A written outcome (Completion of Procedures letter) will be provided to the Student within 20 working days, which will confirm one of the above outcomes and state whether the appeal has been:

   • Dismissed (in whole or part) and/or;

   • Upheld (in whole or part).

© UCEM 13/09/2017 v1.00
Disciplinary Procedure

Students who are on degree apprenticeships and have completed all internal procedures and remain dissatisfied with the outcome, may take their case to the Office of the Independent Adjudicator for Higher Education (OIA) (see http://www.oiahe.org.uk/). The OIA will be unable to consider cases from Further Education (FE) Students (i.e. those studying for a Level 3 Diploma).

Signed by Chair’s Action

Karl Bunting
Chair of the Apprenticeship Standards & Enhancement Committee

Date 14/09/17
Appendix A: Apprenticeship Student Stage 1 Disciplinary Record

This record is issued in accordance with Stage 1 of the UCEM Apprenticeship Student Disciplinary Procedure, and sets out the nature of the unsatisfactory performance and/or behaviour, and the required improvement action(s).

<table>
<thead>
<tr>
<th>Student Name:</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>UCEM Student ID (SITS):</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Name of UCEM staff member issuing the Stage 1 warning:</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Date Stage 1 warning issued:</th>
</tr>
</thead>
</table>

Reason for Stage 1 warning being issued:

<table>
<thead>
<tr>
<th>Required improvement action(s):</th>
</tr>
</thead>
</table>

Notice to student: Failure to meet the required improvement action(s) will result in the matter being escalated to Stage 2 of the UCEM Apprenticeship Student Disciplinary Procedure.

Processing: Copy to Student, copy to UCEM Apprenticeship Management Team, Employer.
Appendix B: Apprenticeship Student Stage 2 Disciplinary Form

This record is issued in accordance with Stage 2 of the UCEM Apprenticeship Student Disciplinary Procedure, and sets out the nature of the unsatisfactory performance and/or behaviour, and the required improvement action(s).

Part 1: For completion by the member of staff making the referral:

<table>
<thead>
<tr>
<th>Student Name:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>UCEM Student ID (SiTS):</td>
<td></td>
</tr>
<tr>
<td>Name of UCEM staff member referring the matter to Stage 2:</td>
<td></td>
</tr>
<tr>
<td>Date matter referred:</td>
<td></td>
</tr>
</tbody>
</table>

Reason for referral to Stage 2:

Evidence (please outline any evidence in support of the referral and attach as necessary):
Disciplinary Procedure

Part 2: For completion by the Head of Apprenticeship Enhancement/Head of Academic Apprenticeships

<table>
<thead>
<tr>
<th>Progress to Stage 2?</th>
<th>Yes/No</th>
</tr>
</thead>
</table>

Reason:

If Yes:

Date of Stage 2 Meeting:

**Processing:** Copy to Student, copy to UCEM Apprenticeship Management Team, copy to Employer and, where relevant, copy to the parent/guardian.
Appendix C: Apprenticeship Student Stage 3 Disciplinary Form

This record is issued in accordance with Stage 3 of the UCEM Apprenticeship Student Disciplinary Procedure, and sets out the nature of the unsatisfactory performance and/or behaviour, and the required improvement action(s).

Part 1: For completion by the member of staff making the referral:

<table>
<thead>
<tr>
<th>Student Name:</th>
</tr>
</thead>
<tbody>
<tr>
<td>UCEM Student ID (SITS):</td>
</tr>
<tr>
<td>Name of UCEM staff member referring the matter to Stage 3:</td>
</tr>
<tr>
<td>Date matter referred:</td>
</tr>
</tbody>
</table>

Reason for referral to Stage 3:

Evidence (please outline any evidence in support of the referral and attach as necessary):
Disciplinary Procedure

Part 2: For completion by the Senior Leadership Team member (usually a Vice Principal or Dean)

<table>
<thead>
<tr>
<th>Progress to Stage 3?</th>
<th>Yes/No</th>
</tr>
</thead>
</table>

Reason:

If Yes:

Date of Stage 3 Meeting:

Processing: Copy to Student, copy to UCEM Apprenticeship Management Team, copy to Employer and, where relevant, copy to the parent/guardian.
Appendix D: Stage 3 Disciplinary Meeting Membership

The following members of the Stage 3 Disciplinary Meeting make the deliberative decisions:

<table>
<thead>
<tr>
<th>Post</th>
<th>Ex officio/appointed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chair (member of UCEM's Senior Leadership Team (SLT), usually a Vice Principal or Dean)</td>
<td>Appointed.</td>
</tr>
<tr>
<td>Head of Faculty/Head of Department</td>
<td>Ex officio (Student’s Head of Faculty/Department)</td>
</tr>
</tbody>
</table>

The following are in attendance or invited attendees who do not take part in the decision-making process:

<table>
<thead>
<tr>
<th>Post</th>
<th>In attendance/ by invitation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Note taker (from the Apprenticeship Team)</td>
<td>In attendance (not present during deliberations).</td>
</tr>
<tr>
<td>Student under investigation (either in person or via alternative means, such as teleconference).</td>
<td>By invitation (to answer queries on facts relating to their case).</td>
</tr>
<tr>
<td>Employer</td>
<td>By invitation (no active part in the meeting).</td>
</tr>
<tr>
<td>Student’s companion (parent/guardian, colleague, friend, the UCEM Lead Student Representative or employer-designated support)</td>
<td>By invitation (no active part in the meeting except to offer support to the student).</td>
</tr>
</tbody>
</table>
Appendix E: Apprenticeship Student Disciplinary Process

UCEM Apprenticeship Student Disciplinary Process

Stage 1

- Student commits a minor disciplinary offence, they do not meet UCEM’s Apprenticeship Student Conduct Expectations
- Relevant staff member issues a verbal warning to the student
- Staff member completes a Stage 1 disciplinary form. Copy provided to the student and Apprenticeship Management Team
- Deadline: within 5 working days of the offence becoming known
- Further breach of Code?

Stage 2

- Student continues to act in breach of the Apprenticeship Student Conduct Expectations following a verbal warning or commits a serious disciplinary offence
- Relevant staff member submits a Stage 2 disciplinary form to the Head of Apprenticeship Enhancement, Head of Academic Apprenticeships and Head of Faculty / Department and Stage 2 meeting held with student
- Deadline: within 20 working days of the offence becoming known
- Outcome of the Stage 2 disciplinary meeting sent to the student, the employer and where relevant the parent/guardian
- Further breach of Code?

Stage 3

- Student continues to act in breach of the Apprenticeship Student Conduct Expectations following Stage 2 or commits a more serious disciplinary offence
- Relevant staff member submits a Stage 3 disciplinary form to a member of the SLT (usually Vice Principal or Dean) and Stage 3 meeting held with student
- Deadline: within 20 working days of the offence becoming known
- Outcome of the Stage 3 disciplinary meeting sent to the student, the employer and where relevant the parent/guardian
- Complies with conditions?

Please note that for instances of major general misconduct, the case may be referred directly to Stages 2 and 3.
Appendix F: Witness Statement Form

This form is used in accordance with the UCEM Apprenticeship Student Disciplinary Procedure, to record a witness statement in relation to suspected disciplinary misconduct.

**WITNESS STATEMENT**

On <ADD DATE> I, <ADD FULL NAME OF WITNESS>, witnessed the following behaviour by <ADD FULL NAME OF PERSON OR PERSONS WHOSE DISCIPLINARY MISONDCUCT WAS OBSERVED>:  

**Details:**  
*Please be as specific as possible and include date(s), time(s), location(s) and any relevant evidence.*

I confirm that the above statement is true and accurate.

Signed……………………………………………………………

Date……………………………………………………………

© UCEM 13/09/2017 v1.00