



UNIVERSITY COLLEGE
OF ESTATE MANAGEMENT

Patron: HRH The Prince of Wales

www.ucem.ac.uk

Horizons, 60 Queen's Road,
Reading RG1 4BS

t +44 (0)118 921 4696
e enquiries@ucem.ac.uk

Disciplinary Procedure

UCEM Students

Version: 4.00
Status: Final
Author: John Pratt / Helen Edwards
Date: 19/06/2019

Disciplinary Procedure

Table of Contents

1. Introduction and Purpose.....	1
2. Disciplinary Procedure	3
2.1 Managing risk	3
2.2 Stage One	4
2.3 Stage Two	4
2.4 Stage Three – Final Disciplinary.....	5
3. Right of Appeal.....	6
4. Students who are convicted of a criminal offence	6
Appendix A: Student Stage 1 Disciplinary Record.....	7
Appendix B: Student Stage 2 Disciplinary Form	8
Appendix C: Student Stage 3 Disciplinary Form.....	11
Appendix D: Stage 3 Disciplinary Meeting Membership.....	13
Appendix E: Student Disciplinary Process.....	14
Appendix F: Witness Statement Form.....	15

Disciplinary Procedure

1. Introduction and Purpose

This procedure sets out the actions that may be taken if a UCEM student does not meet UCEM's student conduct expectations as set out in its Academic and General Regulations for Students / Programme and Academic Regulations; Terms and Conditions of Contract and additionally for students studying on an apprenticeship programme through the Apprenticeship Student Conduct Expectations document.

By signing UCEM's Terms and Conditions of Contract, students are agreeing to comply with UCEM policies and procedures. If a student fails to meet UCEM's conduct expectations the Student Disciplinary Procedure outlined below may be applied. Parents/guardians may be informed and / or apprentice employers, as set out in the UCEM Code of Practice chapter on Student Academic and Behavioural Misconduct.

2. Minor / Major Misconduct

When students fail to comply with UCEM conduct expectations they will be considered on the grounds of either:

- Minor Misconduct;
- Major Misconduct

2.1 Minor misconduct

Where there is failure to observe UCEM conduct expectations, but the nature of the misconduct is not of a sufficiently serious nature or is not a recurring issue, it shall be treated as and dealt typically under Stage 1 of the Student Disciplinary Procedure. Examples of behaviour which would be considered as minor misconduct include:

- swearing or use of offensive or derogatory language;
- inappropriate use of mobile phones, laptops and/or other electronic devices;
- conduct that disrupts or improperly interferes with the teaching, learning, research, administrative or other activities of UCEM;
- minor incidents that undermine the British values of democracy, the rule of law, individual liberty and mutual respect and tolerance;
- minor incidents that undermine UCEM's Freedom of Speech Policy and the rights of others to freedom of speech
- making repeated and/or unfounded false, malicious and vexatious complaints or appeals;
- misuse of programme materials or infringement of UCEM's Intellectual Property Rights;
- revealing confidential information without permission;
- breaches of other UCEM policies and regulations not covered by the above.

Disciplinary Procedure

In addition to the above list, for students studying an apprenticeship programme examples of minor misconduct also includes:

- unauthorised absence, which includes any absence that has not been authorised¹;
- persistent lateness without acceptable reason²;
- insufficient participation and engagement in learning activities;
- failure to participate in a scheduled progress review/tutorial;
- talking at inappropriate times during face-to-face learning sessions;
- failure to participate fully in workshop tasks and activities;
- consuming food or beverages other than water during face-to-face learning sessions;
- not submitting coursework for formative or summative assessment;

2.2 Major misconduct

Where failure to observe UCEM conduct expectations is deemed of a sufficiently serious nature, it shall be treated as major misconduct. Examples of behaviour which would be considered as major misconduct include:

- Physical or racial assault, harassment, or violent, indecent and/or abusive behaviour directed at other students, members of staff, visitors and any other person connected with UCEM programme delivery (for any reason, including on the grounds of race, sexuality, gender or gender identity);
- sexual misconduct, including but not limited to sexual intercourse or engaging in a sexual act without consent, attempting to engage in sexual intercourse or engaging in a sexual act without consent, sharing private sexual materials of another person without consent, kissing without consent, touching of a sexual nature through clothes without consent, inappropriately showing sexual organs to another person, repeatedly following another person without good reason, and/or making unwanted remarks of a sexual nature;
- behaviour that brings UCEM's name into disrepute;
- harassment, bullying or abusive behaviour face to face or through any form of electronic communication or on social media;
- theft of, damage to, or unauthorised use of property or systems belonging to UCEM, third-party learning delivery venues, other students, members of staff or visitors;
- possession, sale, or use of illegal drugs on or in the local vicinity of UCEM property, and whilst at or in the local vicinity of third-party learning delivery or examination venues or whilst on UCEM organised activities;

¹ You are expected to attend all sessions. One unauthorised absence would trigger a stage one disciplinary.

² Arriving late for three or more sessions without an acceptable reason, such as public transport delays, would constitute persistent lateness.

Disciplinary Procedure

- being under the influence of alcohol or illegal drugs on or in the local vicinity of UCEM property, whilst at or in the local vicinity of third-party learning delivery venues or whilst on UCEM organised activities;
- incidents other than minor incidents that undermine the British values of democracy, the rule of law, individual liberty and mutual respect and tolerance;
- the organisation of, or glorification of, criminal activity;
- The organisation of, or glorification of terrorism or extremist behaviour;
- hate speech;
- repeated incidents of conduct/behaviour initially classified and dealt with as 'misconduct';
- providing untrue or misleading information as part of the admissions process. This could include false information on previous qualifications you have obtained, or not supplying correct documentary evidence of previous qualifications;
- Misuse of programme materials or infringing UCEM's intellectual property rights;
- other serious fraud, deception or dishonesty.

3. Disciplinary Procedure

Students whose conduct/ 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 behaviour and in addition to this for students studying on an apprenticeship programme the procedure also applies to address unsatisfactory performance. In exceptional circumstances, a Head of Department, Dean or Associate or a UCEM Vice Principal may deem it appropriate to forgo Stage 1 and/or Stage 2.

3.1 Managing risk

In cases of alleged major misconduct or where UCEM is made aware that the student is under investigation by the relevant authorities on suspicion of having committed a criminal offence, a full risk assessment will be conducted. Risk assessments should be carried out in a timeframe appropriate to the perceived risk, with serious cases being dealt with as a matter of urgency.

The UCEM Principal or Deputy Principal will consider whether any risks have been identified and whether precautionary action is required. Where one of the following conditions is satisfied the student may be temporarily excluded whilst the investigation is carried out, which will be followed by a Stage 3 disciplinary meeting:

- there is a risk that the student might harm others;
- there are safeguarding issues involved
- there is a risk that the student might cause damage to property;
- there is a risk that the student may cause serious distress to other students or staff;
- there is reasonable suspicion that the student has been supplying illegal drugs;

Disciplinary Procedure

- the incident involves the police or other authorities
- there is a serious risk to the reputation or other aspect of UCEM
- any other offence deemed to pose serious risk.

Normally, students shall be informed that a risk assessment is being carried out and they shall be given the opportunity to submit representations in writing.

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

Where offences are criminal, UCEM will report these to the relevant authorities. Action taken under the Student Disciplinary 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.

3.2 Stage One

In the first instance, the student will normally receive a formal written or verbal warning from the relevant member of UCEM staff. The warning will usually occur immediately following the offence, and no later than 5 working days after. The authorised member of staff will complete a Stage One form and provide a copy to the student and for students studying an apprenticeship programme also to the student's Apprenticeship Coordinator and the student's employer within 20 working days of the offence. A copy should also be sent to disciplinary@ucem.ac.uk. Records will be kept on the student's file for the duration of the programme, and a further breach of UCEM conduct expectations may result in a disciplinary being taken to Stage 2.

3.3 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 or virtual meeting with the relevant Head of Department / Dean / Associate Dean, who will consider the case and make recommendations for further actions. This meeting may take place remotely by Skype or teleconference. A note taker will be in attendance to take a record of the discussions.

The relevant UCEM staff member will complete the Stage 2 form (see Appendix B) and submit it to the relevant Head of Department / Dean / Associate Dean, with all applicable evidence. 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 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. 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. Students studying on an apprenticeship programme should also be accompanied by their employer. This person cannot be a legal representative. They should play no active part in the meeting except to offer support to the student. For students studying on an apprenticeship programme the student should be accompanied by their employer. Plus, 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.

Disciplinary Procedure

The outcomes of the Stage 2 disciplinary meeting will be sent to the student and where appropriate the parent/guardian and employer (only for apprentices) 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. The assigned case officer will provide support to the student alongside monitoring the completion of these actions and will also be responsible for signing off the completion of these actions. Records will be kept on the student file, and a further breach of UCEM conduct expectations will result in disciplinary action being taken to Stage 3.

3.4 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 and Head of Department / Dean / Associate, 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 Principal. The relevant UCEM staff member will present the Stage 3 form to the SLT member, with the applicable 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. Where required the meeting can be held by Skype or teleconference.

The meeting will be held within 20 working days of the suspected offence. 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. Students studying on an apprenticeship programme should also be accompanied by their employer. This person cannot be a legal representative. They should play no active part in the meeting except to offer support to the student. For apprenticeship programmes 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 and where applicable the student's parent/guardian or employer (only for apprentices) 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 UCEM student conduct expectations 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 Principal.

Disciplinary Procedure

4. Right of Appeal

Any decision to impose a sanction as a result of a disciplinary offence is subject to the student's right of appeal under the [UCEM Code of Practice: Complaints and Appeals](#). Students wishing to appeal may submit an appeal as per the [Student Appeals Procedure](#).

5. Students who are convicted of a criminal offence

Where UCEM becomes aware that a student has been convicted of a criminal offence that involves the imposition of a custodial sentence, the SLT Designated Safeguarding Lead will be notified and will review the details of the case and undertake a risk assessment. The SLT Designated Safeguarding Lead will assess and provide final approval of whether the student poses a risk to staff or other students and whether it is possible for the student to continue their studies.

The student will be notified of UCEM's decision in writing and has the right to appeal this decision as set out in section 3 above.

Disciplinary Procedure

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

Disciplinary Procedure

Appendix C: Student Stage 3 Disciplinary Form

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

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

Student Name:	
UCEM Student ID (SITS):	
Apprenticeship students	Yes / No
Name of UCEM staff member referring the matter to Stage 3:	
Date matter referred:	

Reason for referral to Stage 3:

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

Disciplinary Procedure

Appendix D: Stage 3 Disciplinary Meeting Membership

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

Post	Ex officio/appointed
Chair (member of UCEM's Senior Leadership Team (SLT), usually a Vice Principal)	Appointed.
Head of Department / Dean / Associate Dean	Ex officio

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

Post	In attendance/ by invitation
Note taker	In attendance (not present during deliberations).
Student under investigation (either in person or via alternative means, such as teleconference).	By invitation (to answer queries on facts relating to their case).
Employer (only for apprentices)	By invitation (no active part in the meeting).
Student's companion (parent/guardian, colleague, friend, the UCEM Lead Student Representative or employer-designated support)	By invitation (no active part in the meeting except to offer support to the student).

Disciplinary Procedure

Appendix E: Student Disciplinary Process

UCEM Student Disciplinary Process



Please note that for instances of major general misconduct, the case may be referred directly to Stages 2 and 3.

Disciplinary Procedure

Appendix F: Witness Statement Form

This form is used in accordance with the UCEM 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 MISONDUCT 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.....