

Disciplinary Procedure

UCEM Students

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1. Introduction

This procedure outlines what constitutes behavioural misconduct and the disciplinary actions that may be taken if a student does not meet the conduct expectations as set out in the UCEM:

- [Academic and Programme Regulations \(opens new window\)](#);
- [Terms and Conditions of Contract \(opens new window\)](#);
- [Apprenticeship Student Conduct Expectations \(opens new window\)](#) (applicable to apprentices only);

All incidents must be referred to disciplinary@ucem.ac.uk.

When investigating cases of behavioural misconduct, the burden of proof is on UCEM and UCEM will use the standard of proof based on the 'balance of probabilities' rather than 'beyond all reasonable doubt'. Evidence indicating that, on balance of probabilities, behavioural misconduct has occurred will be deemed sufficient evidence for action to be taken.

Where a student has a declared disability, UCEM will endeavour to ensure that information is available to them at all stages of the procedure in appropriate formats, and that any reasonable adjustments are made to the associated proceedings to accommodate their needs.

A summary of the procedure can be found in [Appendix A](#).

2. Scope

The Student Disciplinary Procedure applies to all students registered on programmes or modules.

Should a student withdraw part way through the process, prior to the final outcome, then UCEM may choose not to proceed with the investigation. UCEM reserves the right to investigate a case after a student has withdrawn or graduated.

The Student Disciplinary Procedure is intended to deal with student behavioural misconduct rather than to resolve disputes between individuals.

Disciplinary action may be taken in connection with UCEM facilities, services, or activities; for example, misconduct which happens on UCEM premises, online platforms or on social media which:

- interferes with UCEM academic or administrative activities;
- impacts UCEM itself, UCEM's reputation, UCEM students, UCEM employees and/or a member of the public.

2.1 Relationship with other procedures

Fitness to Study

UCEM understands that there are instances beyond a student's control which can affect their behaviour. This can affect a student's physical or mental fitness to study. Where a member of staff is concerned that this is occurring, then their concerns should be raised via the [Fitness to Study Procedure \(opens new window\)](#).

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Anti-Bullying, and Harassment and Sexual Misconduct

Referrals may be made to the Student Disciplinary Procedure as a result of an investigation under the [Anti-Bullying, and Harassment and Sexual Misconduct procedure \(opens new window\)](#).

Students should report any known or suspected cases of bullying, harassment, or sexual misconduct, towards themselves or another person, to the Safeguarding team. They can make this referral to Student Central, by contacting 01184672400, by emailing safeguarding@ucem.ac.uk or by contacting a trusted member of UCEM staff or student representative who will make the referral on their behalf.

Academic Misconduct

The Student Disciplinary Procedure relates to non-academic behavioural issues only. Academic misconduct is dealt with under a separate [Academic Misconduct Procedure \(opens new window\)](#).

3. Types of behavioural misconduct

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

- Minor misconduct;
- Major misconduct.

All definitions apply to any form of contact, be it face to face, via telephone or online.

3.1 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 normally be dealt with as minor misconduct under stage 1 of the Student Disciplinary Procedure (see [section 4](#) below). Examples of behaviour which would be considered as minor misconduct include:

- Swearing or use of offensive or derogatory language (for any reason, including on the grounds of race, sexuality, gender, or gender identity);
- 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, or 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.

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

- Unauthorised absence or persistent lateness;
- Insufficient engagement with learning activities.

3.2 Major misconduct

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

- Repeated incidents of conduct/behaviour initially classified and dealt with as 'minor misconduct';
- **Harassment** (as defined by Section 26 of the Equality Act 2010) includes unwanted behaviour or conduct which has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment because or, or connected to, one or more of the following protected characteristics:
 - i. Age;
 - ii. Disability;
 - iii. Gender reassignment;
 - iv. Race;
 - v. Religion or belief;
 - vi. Sex;
 - vii. Sexual orientation.

UCEM understands harassment to include domestic violence and abuse (which can include control, coercion, threats) and stalking.

Harassment also includes any incidents of physical violence towards another person(s) on the basis of a protected characteristic, and hate crimes, such as those criminal offences which are perceived by the victim or any other person, to be motivated by hostility or prejudice, based on a person's disability or perceived disability; race or perceived race; or religion or perceived religion; or sexual orientation or perceived sexual orientation or transgender identity or perceived transgender identity.

Source: [Office for Students statement of expectations for preventing and addressing harassment and sexual misconduct affecting students in higher education \(opens new window\)](#).

- **Sexual misconduct** related to all unwanted conduct of a sexual nature. This includes, but is not limited to:
 - i. Sexual harassment (as defined by Section 26 (2) of the Equality Act 2010);
 - ii. Unwanted conduct which creates an intimidating, hostile, degrading, humiliating or offensive environment (as defined by the Equality Act 2010);
 - iii. Assault (as defined by the Sexual Offences Act 2003);
 - iv. Rape (as defined by the Sexual Offences Act 2003);
 - v. Physical unwanted sexual advances (as set out by the Equality and Human Rights Commission, Sexual harassment, and the law, 2017);

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- vi. Intimidation, or promising resources or benefits in return for sexual favours (as set out by the Equality and Human Rights Commission, Sexual harassment, and the law, 2017);
- vii. Distributing private and personal explicit images or video footage of an individual without their consent (as defined by the Criminal Justice and Courts Act 2015).

Source: [Office for Students statement of expectations for preventing and addressing harassment and sexual misconduct affecting students in higher education \(opens new window\)](#).

- Physical or racial assault, 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);
- Behaviour that brings UCEM's name into disrepute;
- Bullying or abusive behaviour;
- 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 venues or whilst on UCEM organised activities;
- 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;
- Antisemitism (see [Appendix B](#): Definition of antisemitism);
- 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, not covered by the Academic Misconduct Procedure.

4. Process for dealing with minor behavioural misconduct

4.1 Stage 1: Identification of suspected minor behavioural misconduct and verbal warning

If a student or member of staff witnesses or has been informed of minor behavioural misconduct, they should contact disciplinary@ucem.ac.uk immediately following the incident.

A verbal or written warning should be given in the first instance. The warning should highlight the Student Disciplinary Procedure and the consequences of the behaviour continuing (i.e., investigation and potential punishment). The warning should usually occur immediately after the behaviour has been witnessed or reported, but no later than 5 working days after. A UCEM staff member may issue this warning themselves or seek advice from disciplinary@ucem.ac.uk. The disciplinary team may advise an appropriate member of staff to give a verbal warning or issue a warning themselves.

A Stage 1 form will be completed, and a copy provided to the student and for students studying on an apprenticeship programme to the student's Apprenticeship Outcomes Officer and employer. The Stage 1 form should usually be issued within 20 working days of the offence becoming known. The Stage 1 form is provided in [Appendix C](#).

Records will be kept on the student's file, and a further breach of UCEM conduct expectations will result in a disciplinary being taken to Stage 2.

If the behaviour continues following the warning, this should be highlighted to disciplinary@ucem.ac.uk so that the matter can be investigated further.

4.2 Stage 2: Disciplinary meeting

4.2.1 Investigation

Following notification that a student's behaviour has not improved following a Stage 1 warning for minor misconduct, or in more serious disciplinary cases, a Stage 2 disciplinary form should be submitted to the relevant Head of Faculty / Department who will review the form and refer the matter to the Head of Academic Registry. See [Appendix D](#) for the Stage 2 Disciplinary Form.

The matter will be investigated by the Head of Academic Registry or Academic Registry Manager (Academic Standards), referred to as the 'investigator', under Stage 2 of the Student Disciplinary Procedure. This person will also make the ruling (see [section 4.5](#)). The investigator should have no perceived or actual conflict of interest when dealing with the case. If neither the Head of Academic Registry nor Academic Registry Manager (Academic Standards) is able to investigate for this reason, the Director of Registry and Student Services will nominate an appropriately trained alternate as investigator.

The investigator will liaise with the person making the referral and gather evidence. They may need to speak with anyone they believe will be able to provide information in relation to the matter. This may involve interview(s), phone/video call(s) and/or e-mail correspondence. Staff and/or students contacted are expected to cooperate in a timely matter. Evidence may include, but is not limited to, witness statements, attendance records, e-mails, social media and/or VLE posts. A Witness Statement Form is provided in [Appendix F](#).

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As part of the investigation, it is expected that the investigator will meet with the student (see [section 4.4](#) below).

4.2.2 Notice to student

In the event of suspected minor misconduct, students will receive notification in writing stating the nature of the suspected minor misconduct. This will detail how the investigation will be conducted so that they can respond appropriately. Students will be invited to meet with the investigator to discuss the matter. Students may find it useful to prepare a written statement or provide evidence in advance of the Stage 2 meeting, but this is not compulsory. Students should be given at least 5 working days' notice of the meeting.

4.2.3 Stage 2 meeting

The discussion between the investigator (Stage 2 meeting) and student will usually take place via teleconference. This meeting is an opportunity for the student to state their perception of the concern, respond to the allegation and present any mitigating factors and/or other evidence that would be important to the investigation. Mitigating factors may include (but are not limited to) a disability or mental health issues. The meeting is also an opportunity for the investigator to ask for any points of clarification and explanation from the student in order to progress their investigation and reach a conclusion. The meeting will be led by the investigator.

Those present will usually just be the investigator and student. For an apprenticeship student, this discussion may include the employer. The student is entitled to bring one additional person to the meeting for support, which could be a parent/guardian, colleague, friend, the UCEM Lead Student Representative or employer-designated support. This person should not normally be a legal representative unless there are specific reasons, agreed with UCEM. The additional person 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 will be informed, and the student's parent/guardian may also attend the meeting.

The investigator may record the meeting and they will take notes.

4.2.4 Outcome

The investigator should normally conclude their investigation within 20 working days of being notified of the suspected minor misconduct. The possible outcomes are:

- a. No case to answer:
- b. Proven minor misconduct.

If there is no case to answer, a referral may be made to the relevant UCEM support services, but otherwise no further action will be taken.

If the minor misconduct is proven, one or more of the sanctions outlined in [section 6](#) may be applied:

The student should receive written notification of the outcome of the investigation within 5 working days of the Stage 2 meeting. This notification will:

- Summarise the allegation;
- Summarise the investigation;
- State whether the case was proven/not proven;

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- For proven cases, state action(s) required for improvement, any penalty or penalties applied, and the consequences of non-compliance with these (with clear deadlines);
- Highlight the appeals process;
- Highlight how to access support.

Where applicable, the student's parent/guardian or employer (only for apprentices) will also be provided with the written outcome.

The person or persons who referred the matter in the first instance should also usually be notified of the outcome. A witness will not be able to appeal the decision, but is entitled to raise a complaint under the [UCEM Student Complaints Procedure \(opens a new window\)](#) if they have concerns about how the matter was dealt with.

The investigator will be responsible for ensuring that the student has been offered any necessary support alongside monitoring the completion of any actions and/or penalties. They will also be responsible for signing off the completion of the actions. Records will be kept on the student file, and a further breach of UCEM conduct expectations will result in the process for dealing with major behavioural misconduct (see [section 5](#)) being initiated under Stage 3 of the Student Disciplinary Procedure.

5. Stage 3: Process for dealing with major behavioural misconduct

5.1.1 Identification of suspected major behavioural misconduct

The process for dealing with major behavioural misconduct may be initiated in the following circumstances:

- The process for dealing with minor behavioural misconduct (see section 4) has been followed and there is no or insufficient improvement in behaviour; or
- A referral has been made following an investigation under the [Anti-Bullying, and Harassment and Sexual Misconduct procedure \(opens a new window\)](#); or
- The misconduct falls into one of the categories defined in [section 3.2](#) above.

If a student or any member of staff witnesses or has been informed of major behavioural misconduct, they should submit a Stage 3 Student Disciplinary Form (see [Appendix E](#)) to a member of the SLT (usually vice principal or Dean) and copy in disciplinary@ucem.ac.uk. Safeguarding@ucem.ac.uk should be notified by the disciplinary team so that a risk assessment can be carried out (see [section 7](#)).

Allegations of major misconduct will be considered at a Stage 3 Disciplinary Meeting (Student Disciplinary Panel).

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5.1.2 Evidence gathering

The Head of Academic Registry or Academic Registry Manager (Academic Standards) will be responsible for gathering evidence and presenting it at the Stage 3 Disciplinary Meeting (Student Disciplinary Panel). It is likely that they will need to liaise with the person making the referral and they may need to speak with anyone they believe will be able to provide information in relation to the matter. This may involve interview(s), phone/video call(s), and/or e-mail correspondence. Staff and/or students contacted are expected to cooperate in a timely matter. Evidence may include, but is not limited to, witness statements, attendance records, e-mails, social media and/or VLE posts. A Witness Statement Form is provided in [Appendix F](#). In cases where the referral is due to persistence of an offence previously dealt with under the minor misconduct process, the records of that investigation should be included.

5.1.3 A student's right to reply

In the event of suspected major misconduct, students will receive notification in writing stating the nature of the suspected major misconduct within 10 working days of the major misconduct referral being made. This notification will outline the nature of the concern and inform the student that a Stage 3 Disciplinary Meeting (Student Disciplinary Panel) will be convened.

The student will also be given an opportunity of a 'right to reply'. This will require them to prepare a written statement of no more than 1500 words to present any mitigating factors and any other evidence that would be useful for the investigation. Mitigating factors may include (but are not limited to) a disability or mental health issues.

Where students choose not to provide a written statement, the investigation will still proceed based on the evidence available.

5.1.4 Stage 3 Disciplinary Meeting (Student Disciplinary Panel)

Please see the separate Terms of Reference and Protocol for Student Disciplinary Panel meetings document for more information about the panel (including preparation, purpose, conduct and membership).

The panel will be convened to consider cases of potential major behavioural misconduct.

The panel will be convened in a timely manner and should not be unreasonably delayed. It should normally be held within 20 working days of the major misconduct referral.

Normally, the student will be invited to attend, either in person (if practicable) or via videoconference and will be given at least 10 working days' notice of the hearing. However, in some cases the Chair may decide it is not appropriate for the student to attend, in which case the student will be notified and will be allowed to make a written submission only.

For group allegations, the linked cases will normally be considered at the same Panel meeting so that all students involved will have an opportunity to hear and respond to what the other students have raised.

No later than 5 working days prior to the hearing, the student will be provided with a copy of any documentation the panel will take into account in their decision, unless this is restricted by UCEM's Data Protection and Privacy Policy, the Data Protection Act 2018 or the General Data Protection Regulations 2016 (GDPR). The student will be asked to provide any evidence they wish to present at least 2 working days in advance of the panel.

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For students who choose not to attend, their response to the right to reply will be fully considered. If a student does not attend or submit a written response, the panel will still go ahead.

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 should not normally be a legal representative unless there are specific reasons, agreed with UECM. Students studying on an apprenticeship programme should also be accompanied by their employer. 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 will be informed, and the student's parent/guardian may also attend the panel meeting. Anyone accompanying the student should play no active part in the meeting except to offer support to the student.

All the evidence will be reviewed including the student's written or verbal submission(s) and a decision taken in line with the penalty sanctions detailed in [section 5.1.5](#) below.

5.1.5 Outcome

The possible outcomes are:

- a. No case to answer;
- b. Proven major misconduct.

If there is no case to answer, a referral may be made to the relevant UCEM support services, but otherwise no further action will be taken.

If the major misconduct is proven one or more of the sanctions outlined in [section 6](#) may be applied.

For students on apprenticeship programmes, the outcome of the hearing will not be confirmed until after consultation with the Director of Apprenticeships and the apprentice's employer.

The student should receive written notification of the outcome of the panel meeting within 5 working days of the date of the panel. This notification will:

- Summarise the allegation;
- Summarise the investigation;
- State whether the case was proven/not proven;
- For proven cases, state actions required for improvement, any penalty or penalties applied (including the reason), and the consequences of non-compliance with these (with clear deadlines);
- Include the record of the panel meeting (minutes);
- Highlight the appeals process;
- Highlight how to access support.

Where applicable the student's parent/guardian or employer (only for apprentices) will also be provided with the written outcome.

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 conduct expectations could result in temporary exclusion or the termination of study by the Principal, or on the authority delegated to the Deputy Principal.

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The person or persons who referred the matter in the first instance should also usually be notified of the outcome. A witness will not be able to appeal the decision, but is entitled to raise a complaint under the [UCEM Student Complaints Procedure \(opens a new window\)](#) if they have concerns about how the matter was dealt with.

The Head of Academic Registry or Academic Registry Manager (Academic Standards) will be responsible for ensuring that the student has been offered any necessary support alongside monitoring the completion of any actions and/or penalties. They will also be responsible for signing off the completion of the actions or referring non-completion of actions to the Principal or Deputy Principal for a decision on exclusion or termination to be made.

If a student's study is terminated, they will be offered the support of UCEM's Careers Adviser to source further learning/employment opportunities.

6. Potential sanctions

One or more of a combination of the following sanctions may be issued as a result of a disciplinary offence:

- Written pledge from the student to improve conduct for a defined a period;
- A formal apology by the student to an individual or individuals;
- First Written Warning – usually the letter following Stage 2, detailing the actions arising from the Stage 2 meeting and the consequences of not meeting those actions;
- Final Written Warning – usually the letter following Stage 3, detailing the actions arising from the meeting and the consequences of not meeting those actions;
- Payment for the cost of repairing damage or replacing damaged item(s) as appropriate, in the case of damage to property or any other situation involving financial loss;
- Temporary exclusion for a fixed period of time by the Principal or authority delegated to the Deputy Principal. The terms will be notified to the student in writing and may include a requirement that the student shall have no contact with a named person or persons;
- Termination of study by the Principal, or authority delegated to the Deputy Principal.

Matters dealt with under Stage 3 of the Student Disciplinary Procedure may result in termination of study with UCEM or exclusion (see also Sections 9, 10 and 11 of the Academic and Programme Regulations (Level 3) and sections 10,11 and 12 of the Academic and Programme I Regulations (Levels 4-7)). In the event of termination, UCEM also reserves the right to revoke any award in accordance with Section 7.2 of the Academic and General Regulations for Students (Level 3) and 8.1 of the Academic and General Regulations for Students (Levels 4-7). This may occur following a disciplinary offence.

In determining the appropriate sanction, factors including the following will be taken into account:

- The degree of remorse shown by the student;
- Efforts shown by the student to resolve and remedy the situation;
- The extent of any harm caused to others;
- The level of impact on others;
- The level of intent shown.

7. Managing risk and criminal offences

A full risk assessment will be conducted in the following circumstances:

- 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, or;
- where UCEM is made aware that a student has been convicted of a criminal offence.

Risk assessments are conducted by a member of the Safeguarding team and 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 any risks identified and whether precautionary action is required. Where one of the following conditions is satisfied the student may be temporarily excluded whilst the evidence is gathered, which will be followed by a Stage 3 Disciplinary Meeting (Student Disciplinary Panel):

- 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;
- 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 will be informed that a risk assessment is being carried out and they will be given the opportunity to submit a written statement.

The UCEM Principal or Deputy Principal will provide final approval of whether the student poses a risk and whether it is possible for them to continue their studies. The student will be notified of UCEM's decision in writing. The notification will detail the length of any temporary exclusion and reasons for it.

Taking this action is not an indication that a student will be found guilty of misconduct; rather it is a safeguarding measure to protect those involved. This action would not be taken lightly and the full impact to the student (such as missing forthcoming assessments) should be considered.

Students have the right to appeal the decision as set out in [section 10](#).

Where offences being investigated under the Student Disciplinary Procedure are criminal, UCEM will report these to the relevant authorities, as appropriate. 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 should be notified of any such deferral.

8. Timeliness

In line with guidance published by the Office of the Independent Adjudicator (OIA), the procedure should be concluded as quickly as possible; the investigation and formal proceedings should normally be concluded within 60 calendar days from the student being notified of the allegation. This timeframe does not encompass the time taken for any criminal proceedings to conclude.

UCEM recognises the importance of early intervention when there are concerns about a student's behavioural conduct. Each stage of the process should be dealt with in a timely manner and should not be unreasonably delayed. There is a balance between ensuring that meetings occur quickly, in order to support the student, and giving the student sufficient time to prepare.

9. Confidentiality

UCEM strictly adheres to the UK General Data Protection Regulation (GDPR) 2018 when dealing with personal and sensitive information (or special categories of personal data under UK GDPR).

Information about a student's disciplinary case will only be disclosed to those involved in:

- Investigating or deciding upon it; and/or
- Offering support; and/or
- Providing evidence.

If it is deemed that a student has committed minor or major behavioural misconduct, this will be recorded on their student record. Record will also be kept of any verbal warnings issued.

Where there is alleged misconduct by an apprenticeship student, the student's employer will be informed. In addition, where the apprenticeship 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.

For apprentices, the Apprenticeship Outcomes Officer (AOO) will also be made aware of any investigations of misconduct so that they are able to provide any additional support and guidance in relation to the apprenticeship, for example through progress reviews.

For group allegations, it is important that all parties are aware of all evidence being presented to the panel, including the other student's 'right to reply' response. Sensitive personal information will be redacted.

UCEM may be required to inform relevant Professional Statutory and Accrediting Bodies about cases of behavioural misconduct.

As noted, where offences being investigated under the Student Disciplinary Procedure are criminal, UCEM will report these to the relevant authorities as appropriate.

9.1 Witness confidentiality / anonymous concerns

In order for students to be able to properly defend themselves, it is not normally appropriate to keep the identity of any witnesses a secret. If the witness expressly forbids their identity being made known, it may not be appropriate for the decision maker(s) to reply on the evidence of that witness. Anonymous concerns may also be more difficult to resolve if a case is proven, for example in situations where an outcome of the disciplinary process may be for someone to issue an apology, compensate a victim or change tutor groups. Witnesses should be assured that any information in relation to a case will be dealt with in line with the confidentiality principles outlined in [section 9](#) above.

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Should a student wish to raise a concern anonymously, they can do so by logging it through a UCEM member of staff or student representative, stating that they wish to remain anonymous and asking the staff member or student representative to forward the concern. Alternatively, the student can contact disciplinary@ucem.ac.uk themselves, stating that they wish to remain anonymous. Any anonymous concern should be submitted with as much supporting evidence as possible (for example copies of emails or messages where inappropriate behaviour is alleged to have occurred) to support the investigation.

UCEM will endeavour to investigate all anonymous concerns wherever possible to the best of its ability. UCEM will consider each case individually and make a decision on whether it is possible to proceed with the investigation. Factors considered will include whether there is enough evidence to proceed, and also whether it is fair to the alleged perpetrator to proceed without knowing who has accused them and potentially without being able to view evidence of claims made against them (where this evidence would identify the accuser). Cases where an alleged party may not know who has accused them and cannot view any evidence against them will usually only proceed where UCEM reasonably believes there would be a genuine threat to the safety of the witness should their identity be revealed.

10. Right of appeal

A student has the right to appeal a disciplinary decision. Appeals can be made in line with the [Student Appeals Procedure \(opens new window\)](#).

11. Advice and support

Anyone may contact disciplinary@ucem.ac.uk for general queries regarding the process.

Students looking for particular support before, during or after a disciplinary case, either as someone accused or someone involved as a witness or victim, are advised to contact Student Central in the first instance, so that they can be directed to the most appropriate support service according to their situation.

Support available includes, but is not limited to:

- Disability and Welfare Team (including Safeguarding);
- Lead Student Representative;
- Apprenticeship Outcomes Officer (Apprentices);
- External support (such as specialist organisations).

To avoid any actual or perceived conflict of interest, a member of staff offering specific support will not be involved in a decision-making capacity in any subsequent investigations, appeals or complaints.

As noted, students have the right to be accompanied by an additional person for support at disciplinary meetings or panels (see [section 4.2.3](#) and [section 5.1.4](#) for more information).

UCEM understands that going through a disciplinary process is likely to be difficult and stressful for a student. UCEM will act in the best interests of the whole student body at all times and commits to making appropriate support available.

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Signed by Chair's Action:

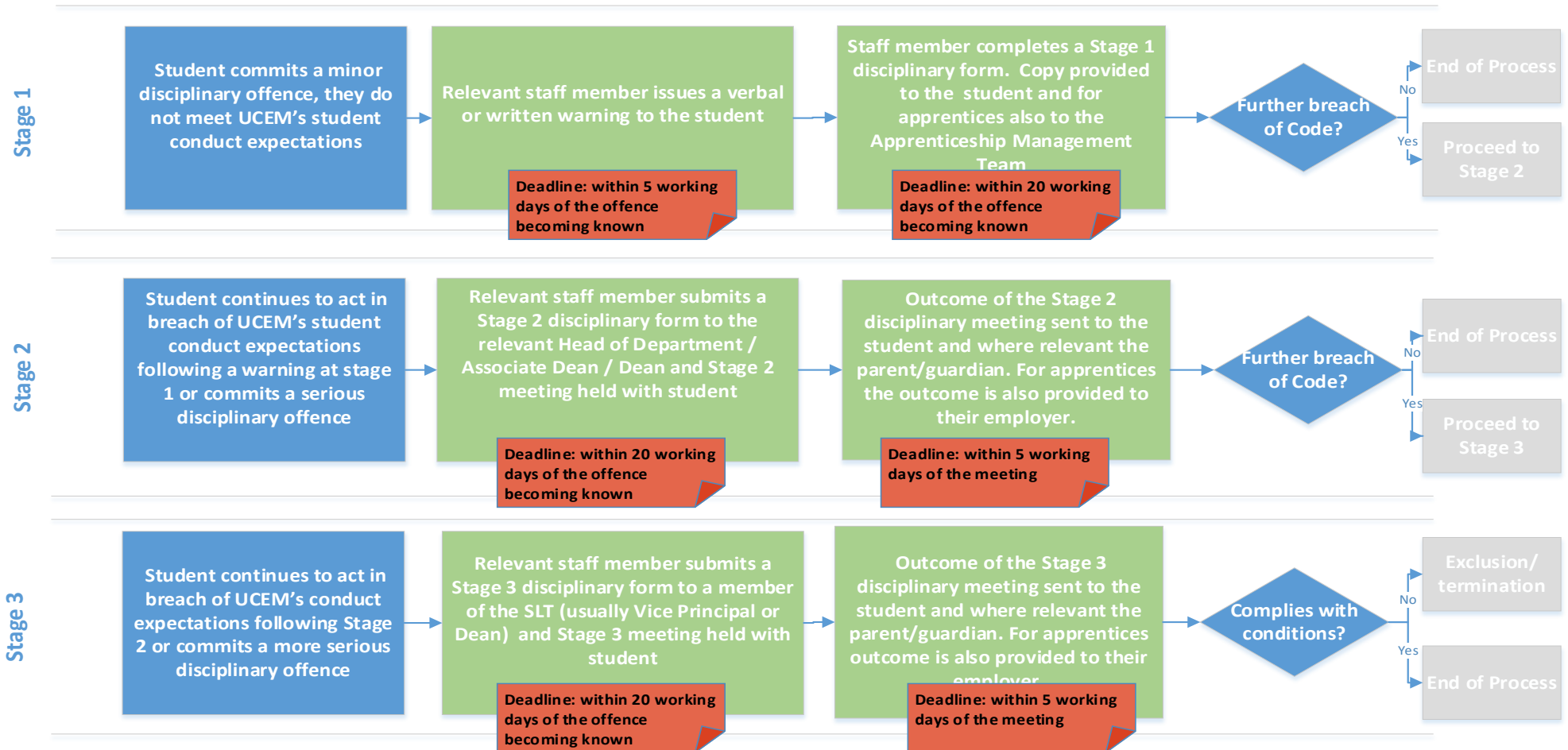
Jane Fawkes
Chair of the Quality Standards and Enhancement Committee

Date:

25/08/2021

Appendix A: Student Disciplinary Process Diagram

UCEM Student Disciplinary Process



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

Appendix B: Definition of antisemitism

The following definition is the International Holocaust Remembrance Alliance's (2018) definition of antisemitism and is the standard definition used around the world including by the European Parliament and the British government.

'Antisemitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of antisemitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities.

Manifestations might include the targeting of the State of Israel, conceived as a Jewish collective. However, criticism of Israel similar to that levelled against any other country cannot be regarded as antisemitic. Antisemitism frequently charges Jews with conspiring to harm humanity, and it is often used to blame Jews for "why things go wrong." It is expressed in speech, writing, visual forms and action, and employs sinister stereotypes and negative character traits.

Contemporary examples of antisemitism in public life, the media, schools, the workplace, and in the religious sphere could, taking into account the overall context, include, but are not limited to:

- Calling for, aiding, or justifying the killing or harming of Jews in the name of a radical ideology or an extremist view of religion.
- Making mendacious, dehumanising, demonising, or stereotypical allegations about Jews as such or the power of Jews as collective — such as, especially but not exclusively, the myth about a world Jewish conspiracy or of Jews controlling the media, economy, government or other societal institutions.
- Accusing Jews as a people of being responsible for real or imagined wrongdoing committed by a single Jewish person or group, or even for acts committed by non-Jews.
- Denying the fact, scope, mechanisms (e.g., gas chambers) or intentionality of the genocide of the Jewish people at the hands of National Socialist Germany and its supporters and accomplices during World War II (the Holocaust).
- Accusing the Jews as a people, or Israel as a state, of inventing or exaggerating the Holocaust.
- Accusing Jewish citizens of being more loyal to Israel, or to the alleged priorities of Jews worldwide, than to the interests of their own nations.
- Denying the Jewish people their right to self-determination (e.g., by claiming that the existence of a State of Israel is a racist endeavour).
- Applying double standards by requiring of Israel a behaviour not expected or demanded of any other democratic nation.
- Using the symbols and images associated with classic antisemitism (e.g., claims of Jews killing Jesus or blood libel) to characterise Israel or Israelis.
- Drawing comparisons of contemporary Israeli policy to that of the Nazis.
- Holding Jews collectively responsible for actions of the State of Israel.'

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Reference

International Holocaust Remembrance Alliance (IHRA) (2018) 'About the IHRA working definition of antisemitism' [online]. Available at: <https://www.holocaustremembrance.com/resources/working-definitions-charters/working-definition-antisemitism> [accessed 5 February 2021].

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Appendix C: Stage 1 Disciplinary Form

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

Student Name:	
UCEM Student ID (SITS):	
Apprenticeship student	Yes / No
Name of UCEM staff member issuing the Stage 1 warning:	
Date Stage 1 warning issued:	

Reason for Stage 1 warning being issued:

Required improvement action(s):		
Required improvement	SMART¹ Action	Deadline

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

¹ Specific, measurable, achievable, realistic, time specific
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Appendix D: Stage 2 Disciplinary Form

This record is issued in accordance with Stage 2 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 student	Yes / No
Name of UCEM staff member referring the matter to Stage 2:	
Date matter referred:	

Reason for referral to Stage 2:

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

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Part 2: For completion by the Head of Department / Dean / Associate Dean

Progress to Stage 2?	Yes/No
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Reason:

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If Yes:

Date of Referral to Head of Academic Registry:	
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Processing: Copy to Student, copy to student file, where relevant, copy to the parent/guardian. For students on an apprenticeship programme copy to UCEM Apprenticeship Management team and employer (only for apprentices).

Appendix E: 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):

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Part 2: For completion by the Executive member (usually a Vice Principal)

Progress to Stage 3?	Yes/No
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Reason:

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If Yes:

Date of Stage 3 Meeting:	
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Processing: Copy to Student, copy to student file and where relevant, copy to the parent/guardian. For students on an apprenticeship programme copy to UCEM Apprenticeship Management team and employer (only for apprentices).

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 MISCONDUCT 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.....