

Student Disciplinary Policy and Procedures

Date Approved:	August 2018
Approved by:	Principalship
Review Date:	August 2019
Responsible Manager:	Assistant Principal Student Experience
Principalship Lead:	Vice Principal Curriculum & Support
Accessible to Students:	Yes
Applicable to TMC:	Yes
Applicable to UCEN MCR:	Yes
Relevant to Total People:	No
Relevant to MOL:	No
Relevant to Novus:	No

SCOPE AND PURPOSE

The Manchester College and UCEN Manchester (hereafter called 'The College') operate under a policy of positive behaviour management. Rather than responding to poor behaviour we will establish a culture of mutual respect through strategies that recognise and reward good behaviour. The Deal sets out The College's promotion of the values, standards and regulations that students will experience in the work place.

- We have established College expectations when it comes to student behaviour, these expectations are set out clearly within The Deal. All students are supported to meet the expectations set out in The Deal and a positive culture is fostered by all staff
- This disciplinary code of conduct therefore relates to any behaviour that is contrary to the maintenance of good order, discipline or health and safety within The College or on official college visits or functions. It also sets out the procedure to be followed when a student fails to meet the expectations of behaviour as set out by The College. This policy should be viewed alongside the At Risk Support Policy, where relevant. A student could have an At Risk Support Plan and be at any of the stages of the disciplinary procedures simultaneously.
- Breach of the code of conduct may lead to disciplinary action being taken against a student and repeated breaches, or a single, very serious breach may result in a student being suspended or excluded from The College. Other sanctions may be employed by The College, such a change of campus, course or the requirement to pay for damage to property caused by the student.
- The College has a zero tolerance policy in relation to acts of bullying, harassment or discrimination of any kind. Similarly The College operates a zero tolerance policy in relation to illegal drugs and alcohol. Any student found to have engaged in any activity falling within these categories will be deemed to have committed Gross misconduct and therefore may be taken through to stage three of this process immediately.
- The policy applies to all students of The College, whether full-time or part-time, and applies at all times during the year. Pupils under 16 who are still on school registers are also

subject to The College's disciplinary code of conduct whilst they are in College. Higher Education UCEN Manchester students studying on partner University courses are subject to this policy and also will be subject to the relevant Awarding Body academic regulations.

- The Vice Principal Curriculum and Support has overall responsibility for implementing this code and will delegate this responsibility as appropriate.

Obligations of students and examples of misconduct and gross misconduct are provided later in this document.

Issues relating to student academic performance must be dealt with initially through the Student Progress and Review process, or through moderation or assessment boards and by the HoD Curriculum. Only when it can clearly be shown that this has taken place, should the disciplinary procedure be used, and then only if it is reasonable to do so.

GENERAL PRINCIPLES

- No disciplinary action will be taken against a student until the circumstances have been investigated but a student may be suspended whilst the investigation is carried out.
- A student will be advised of the reason for the disciplinary hearing.
- They will hear the evidence against him/her.
- They will be given opportunity to state his/her case.
- 16-18 year old students or vulnerable adults must be accompanied by a parent/ guardian or carer.
- Parents/ guardians or carers will be informed of the outcome via Parent Portal and by telephone, email or letter at Stages 1 and 2 and by letter at Stage 3.
- Adult students (aged 18+) can be accompanied by a friend or relative.
- If a student fails to attend a disciplinary hearing, the hearing will still take place and a decision made in their absence (*in absentia*).
- If the disciplinary process results in a warning about unacceptable behaviour, attendance or academic performance, then relevant support will be offered to help him/her reach the required standards. The student will be expected to engage fully with the support offer.
- For 14-16 year old students on School Links programmes, any disciplinary action will be taken in conjunction with the relevant partner high school.
- Students with a recognised learning difficulty or disability will be given due consideration during any disciplinary process;
- At every stage of the disciplinary process, staff should be aware of the needs of students who may be disadvantaged by a formal and written process and adapt the process with advice from the Supported Learning Team, so that everyone is treated fairly and equitably.
- All stages of the informal and formal procedure will be recorded on ProMonitor: Cause for concerns will be logged by any member of staff, a named tutor should monitor the number of CFCs raised, offering support as needed and should refer for a first stage warning if appropriate. Each formal stage will be recorded as a meeting with a reason and clear targets will be recorded and dated for review. These will be visible to both staff and students
- The outcomes from stage 1 and stage 2 meetings will normally stay on a student's record for the academic year. They may be closed if a student meets the targets set as part of the process but will remain visible should the behaviour be repeated.
- Stage 3 meetings may stay on a student's record permanently and could impact on the student's ability to progress or to re-join The College at any future point. Where a student is excluded as the outcome from a stage 3 meeting then they should write a letter to the Vice Principal Curriculum and Support or the Dean of Higher Education (for UCEN

Manchester students only) and will always be required to have an interview before they can access a place at The College.

- The Assistant Principal for Student Support will make termly reports to the Principalship team about the numbers of students receiving Stage 1 - 3 meetings. This will be part of the quality process within The College.

SUSPENSION

- Suspension is without prejudice and does not judge a situation or a student, however there may be some occasions when immediate action is required to remove a student from College premises. Examples of such occasions may include, but are not limited to the following:
 - to prevent immediate risk of harm to others or damage to the premises;
 - to prevent interference with evidence of misconduct; as a response to the possession of illegal substances;
 - for serious misuse of internet sites or to ensure individual safety
- In such circumstances, the student may be required to leave the premises immediately. This will be authorised by a Head of Department in liaison with a Senior Manager who may also involve Duty Managers or the police. The student is not allowed to enter College during the period of the suspension and any attempt to enter the College during this period will be regarded as a serious breach of expectations.
- The parents or guardians of students aged below 18 will be informed of the suspension immediately or as soon as is practicable. A disciplinary hearing will where practical be arranged within 5 working days of the suspension. A student who is facing possible exclusion will normally be suspended until a disciplinary hearing is held.

CONTACT WITH POLICE

Where staff suspect a student of committing a criminal offence or being involved in criminal activity, The College reserve the right to report the matter to the police. The College will always comply with its lawful obligation to help investigate alleged criminal activity.

APPEALS PROCEDURE

Students are unable to appeal against the outcome of Stage 1 and Stage 2 hearings. At Stage 3, students can make a formal appeal against a decision if they have information or evidence that they do not think was presented at the original Stage 3 meeting or if they think they have been unfairly treated.

- The student must write a letter detailing the reason for the appeal within 5 days of receiving the outcome of a Stage 3 meeting. This should be addressed to the Vice Principal Curriculum and Support or Dean of Higher Education (UCEN Manchester students only)
- The appeal will be reviewed by a nominated member of the Principalship team.
- Following an appeal being considered and concluded by a nominated member of the Principalship team, the student will be notified in writing, with reasons, of the decision made on their appeal. This will normally be within 10 working days. This decision is final and there will be no further right of appeal within The College.
- For Further Education students only – At the end of this process students will be informed of the right to appeal to the Education and Skills Funding Agency
- For UCEN Manchester Students Only – At the end of this process students will be automatically be issued with a Completion of Proceedings (COP) letter if the appeal has not been upheld. Where the appeal has been upheld or partly upheld, students may request a COP letter within 28 days of the date of the appeal outcome. A student has the

right to complain to the Office of the Independent Adjudicator (IOA) , once all the internal procedures have been exhausted and a COP letter has been issued. The OIA must receive a student's Complaint Form within 12 months of the date of the Completion of Procedures Letter.

MISCONDUCT AND GROSS MISCONDUCT

The following are examples of misconduct and gross misconduct which may result in disciplinary action being taken against students. This is not intended to be an exhaustive list.

- Failure to uphold The College as described in The Deal.
- Failure to comply with Stage 1 and Stage 2 action plans.
- Any breach of the student's obligations including any breach of health and safety or any other regulations, rules or policies or guidelines of The College.
- Smoking except in designated areas.
- Bullying, intimidation, taunting, verbal abuse or the use of any violence towards any person.
- Deliberately or by negligence causing damage to any College buildings, equipment, books or furnishings or any property of others.
- Theft – from the College, other students or staff.
- Fraud – including forging signatures for claims/ work placement records.
- Any other criminal or dishonest acts.
- Refusal to obey reasonable, lawful instructions.
- Any behaviour which has an adverse effect on the work of The College, including vandalising or damaging or interfering with buildings or equipment.
- Any behaviour which is offensive to people on the grounds of their faith, belief, race, gender, sexual orientation, age, gender identity, learning and/or physical disability.
- Use of offensive behaviour or language.
- Any dangerous or inconsiderate driving, including speeding, on College premises.
- Any behaviour which could bring The College into disrepute.
- Any unauthorised interference with software or data belonging to or used by The College.
- Accessing, downloading or distributing offensive material from the Internet (or elsewhere).
- Persistent lateness for, or absence from, classes. (Mitigating or extenuating circumstances may trigger Fitness to Study or the Progress and Review procedures).
- Disrupting any classes or any other College activity, whether or not involving staff or other students.
- Putting a young person or vulnerable adult at risk, whether this is physically, sexually or emotionally
- Being under the influence of alcohol, non-prescribed drugs or solvents.
- Criminal Offences - an allegation or conviction may result in The College being brought into disrepute and could potentially cause significant damage to the reputation of the organisation or would place at significant risk, the welfare or safety of other members of The College community.
- Selling or supplying illegal substances~
- Plagiarism.*
- An act of Academic misconduct**

~ We operate a zero tolerance policy in relation to these actions and as such it is likely that all actions falling within these categories will be considered to be gross misconduct.

* Plagiarism is defined as "passing off someone else's work as your own". It happens if you copy somebody else's work instead of doing your own. Most people at school level call this 'cheating' or 'copying'. Work must always be rewritten into an original hand, and the sourced referenced.

** Academic misconduct: includes collusion, UCEN Manchester students should refer to their awarding body regulations.

MONITORING AND RECORDING

- Cohort Analysis to track progress for 'Disciplined learners
- Individual Learning Plans (ILP's) on ProMonitor
- Support Plans
- Class profiles
- Curriculum Support Groups managed by the Heads of Department Tutorial and Support
- At Risk Report data on number of learners at Blue, Green, Amber, Red or Purple Risk ratings.
- Individual Learner Support Summaries tracking Blue, Green, Amber, Red or Purple Risk ratings.

AT RISK REPORTING

- The 'At Risk' report is available under Curriculum Reports, Learner Support 'LS01'.
- Summary 'At Risk' profiles by individual learner are available under Curriculum Reports, Learner Support 'LS02'.
- Class Profile report CL09
- The Progress and Forecasting Report 'LS10'

APPENDIX (included in this document)

Letters

Agendas for Meetings

EQUALITY AND DIVERSITY

Learners can expect an inclusive and supportive learning environment whatever their background. It is acknowledged as a part of this policy that achieving equality is not about the same approach for all learners but rather treating individuals fairly and equitably.

LINKED POLICIES AND PROCEDURES

Safeguarding Scheme

Single Equality Scheme

Disciplinary Policy

Attendance and Punctuality Policy

Student Progress and Review Policy

Fitness to Study Policy

LOCATION AND ACCESS TO THIS POLICY

Staff Intranet

DISCIPLINARY PROCEDURE

Informal Process (Issuing a Cause for Concern)

- This stage of the process is about the management of behaviour, it is the responsibility of all staff.
- Minor misdemeanours that take place within the classroom or other areas of The College will be dealt with on the spot by the member of staff informally.
- In most cases this will involve challenging the student about their behaviour and asking them to cease or modify their behaviour in line with our expectations and putting strategies in place to support the change in behaviour.
- Informal incidents will normally trigger a **Cause for Concern (CFC)** which must be recorded on Pro-Monitor by the member of staff and this will be made visible for students and aged below 18, communicated to parents/guardians/carers via the Portal. The named tutor will monitor the number of CFCs issued to students and will escalate to stage 1 when 3 have been raised.



Should the informal approach not have the desired effect, the behaviour continues to be repeated, there is a cumulative number of Cause for Concerns (e.g. 3) or a more serious breach of the code set out in The Deal takes place then the formal disciplinary process as described below will be invoked.



Stage 1 Verbal Warning

- If a student's behaviour or academic performance does not meet the required standards through the informal stage, or the behaviour is a more serious breach of the code set out in The Deal, (an action of misconduct), the student will normally be given a **Stage 1 Verbal Warning**. This could relate to a failure to fulfil a commitment to College by, for example, inexplicable poor attendance, disruptive behaviour, failure to complete and submit work on time, or disrespectful behaviour towards staff or fellow students.
- A meeting is set up for the student, mentor and tutor/DTL and for students aged below 18 (or up to 25 for vulnerable adults), parents/guardians/carers will be informed.
- The outcome of the meeting may be a **Verbal Warning** and an agreed behaviour management SMART target added under The Deal targets, along with a **Verbal Warning** recorded in the meetings section of ProMonitor, this will be made available to Parents on the Portal and copies sent to parents/guardians/carers for students aged below 18, or direct to 18+.
- The students disciplinary status will be updated on ProMonitor appropriately and the curriculum team up-dated by a named tutor.



Stage 1 Verbal Warning Review

The behaviour management SMART target will be monitored on a weekly basis by the named Achievement tutor.

The tutor will up-date the SMART target on ProMonitor with progress and ensure that all strategies are fully in place and being effective.

If at the next appropriate 1 to 1 Student Progress and Review meeting the behaviour has improved, the target can be signed off and the student can return to the informal stage of the process.

If at any point of the weekly monitoring reviews the behaviour has not improved the student can be taken to the next stage of the process.



Stage 2 First Written Warning

- If a student who has received a verbal warning fails to meet the set targets, repeats the issues for which they received the verbal warning or departs from The College's standards in other aspects of his/her behaviour or academic performance, or commits misconduct (please see section 6) he/she will normally be given a **Second stage Written Warning**.
- A formal warning hearing will normally be chaired by a Head of Department
- The parents/guardians/carers of students aged below 18 and student will be invited to attend a Stage 2 disciplinary hearing with the Head of Department with at least 5 working days' written notice stating: The nature of the alleged misconduct and a summary of the evidence for the complaint. Confirmation of the time and place of the hearing. (see appendix for letter template)
- At the hearing the student will be entitled to state his or her case (including any mitigating factors) before any decision is taken. After hearing the student's case, the Head of Department may decide to issue a second stage formal written warning.
- Practical measures to avoid recurrence will be implemented, including a behaviour improvement SMART target which will be recorded on ProMonitor under The Deal target and made available to parents/guardians/carers of students aged below 18 via the portal. They will also be notified in writing of the decision within 5 working days of the hearing.



Stage 2 First Written Warning Review

The SMART target will be reviewed weekly by the named tutor with support from a Student Mentor if applicable and if the behaviour has not improved the student will be taken to stage three of the process.

If improvements in behaviour have been noted, the student may be monitored at the next appropriate 6 weekly Student Progress and Review meeting or the period of the action plan if it is felt this would support the student to develop good habits.



**Stage 3
Final
Written
Warning**

- The Final stage will be triggered when 1. no significant improvement in behaviour or no achievement of the targets set after the Stage 2 Formal Warning OR 2. The student's actions are so serious – Gross Misconduct that the student is taken straight to the final stage without having to go through stages 1 and 2.
- A **Final Written Warning** hearing will be chaired by an Assistant Principal or Director
- The parents/guardians/carers of students aged below 18 and student will be invited to attend the Stage 3 disciplinary hearing with the Assistant Principal or Director, with at least 5 working days' written notice stating: The nature of the alleged gross misconduct and a summary of the evidence for the complaint. Confirmation of the time and place of the hearing. (see appendices for letter template)
- The outcome of this meeting will not normally be given on the day but could be provided in writing to the student and parent/ guardian/carer of students aged below 18 and made available on the Portal) once all the evidence has been reviewed.
- Reports, outcomes and review dates at all stages of the procedure will be logged on ProMonitor for monitoring purposes, with SMART targets setting accordingly.
- A **Final Written Warning** is extremely serious and can result in an exclusion from College, or from the campus/course.



Stage 3 Final Written Review

Should the student continue to fail to meet the targets, to comply with the conditions set or if there is any further incident, or the incident is deemed serious enough at the Stage 3 meeting, the student will not be given a further warning but will normally be excluded from college. This will be actioned by a Vice Principal.

Exclusions will last for the remaining part of the academic year in which they take place.

Where a student has been excluded and wishes to return in a different academic year they should write a letter to the Vice Principal for Curriculum & Support or for HE students to the Dean of UCEN Manchester, they will always be required to have an interview before they can access a place at The College

QUICK AT A GLANCE

WHAT STAGE?	WHAT IS IT?	RESPONSIBILITY	Recorded where/how?
Informal stage	This stage of the process is about the day to day management of behaviour and the positive way we can encourage our students to adapt any unacceptable behaviours.	All staff, including academic, support and facilities staff.	Cause for Concerns recorded on Pro-monitor made visible on the portal for students under age 18. This will be monitored by the achievement or named tutor
Stage 1: Verbal Warning	Warnings issued to students who breach The Deal, or who have accumulated 3 or more cause for concerns. Results in a formal behaviour SMART target being agreed and a verbal warning issued	Who attends the meeting: Tutor/DTL/student. The tutor must check that the student does not already have a disciplinary warning. A named tutor, for instance an achievement tutor, to monitor student improvements following the meeting.	Following the meeting a behaviour improvement target will be added to the action plan on Pro-monitor and Stage 1 verbal warning recorded on Pro-monitor in meetings section and for 16-18 students made available via Parent Portal No appeals process
Stage 2: Written Warning	Where the student fails to comply with the agreed action plan at Stage 1, or where there are more serious allegations of misconduct, Stage 2 of the disciplinary procedure may commence	Who attends the hearing: Chair: Any relevant Head of Department The DTL or tutor from the area raising the concern. The tutor must check that the student does not already have a disciplinary warning Mentor if appropriate. Student, (parent/guardian/carer/virtual school* for those below 18 or friend for 18+ students.) A named tutor, for instance an achievement tutor, to monitor student improvements following the hearing with weekly meetings with a Student Mentor if appropriate.	Following a disciplinary hearing, if upheld, a behaviour improvement SMART target will be added to Pro-monitor and Stage 2 formal warning recorded on Pro-monitor in meetings section and for students aged below 18 made available on the Portal for parents/guardians/carers/virtual school if appropriate. (e-mail or letter)

WHAT STAGE?	WHAT IS IT?	RESPONSIBILITY	Recorded where/how?
Stage 3: Final Written Warning	Stage 3 of the disciplinary procedure may be invoked where it is alleged that the student has committed an act of gross misconduct, or where further misconduct is complained of after a Stage 2 formal warning has been given to the student at Stage 2. Exclusion of the student may be considered at this stage.	Who attends the hearing: Chair: Assistant Principal/Director Head of Department/DTL from area raising the concern Tutor/mentor if appropriate. Student, (parent/guardian/carer/virtual school* for those below 18 or friend for 18+ students.) A named tutor, for instance an achievement tutor to monitor student improvements and support with mentor weekly meetings for interventions following the hearing.	No appeals process. Following the disciplinary hearing, if upheld, an outcome letter sent home and made available on the Portal for students aged below 18, this will be up-loaded to the meetings section of Pro-monitor. Improvement SMART targets will be added to the action plan on Pro-monitor. Outcome letter is sent to all relevant parties. Appeals process applies.
Suspension	Suspension is always without prejudice and does not judge a situation or a student, there may be some occasions when immediate action is required to remove a student from College premises. It is not a punishment.	Assistant Principals/ Vice Principals/ Dean of Higher Education	The person suspending the student will contact parents/guardians if the student is under 18 and will inform tutor, log on Pro-monitor and instigate a disciplinary hearing.
Exclusion	Should the student continue to fail to meet the targets, to comply with the conditions set or if there is any further incident, or the incident is deemed serious enough at the Stage 3 meeting, the student will not be given a further warning but will	Assistant Principals/ Vice Principals/ Dean of Higher Education	Informed in writing and flagged on Pro-monitor and EBS.

WHAT STAGE?	WHAT IS IT?	RESPONSIBILITY	Recorded where/how?
	<p>normally be permanently excluded from College (Options to exclude from the course or the campus can also be considered at this stage)</p>		
<p>Appeal</p>	<p>The student may appeal to the Vice Principal: Curriculum and Support (Dean of Higher Education for UCEN Manchester students only) within 5 working days of the date of the notice of exclusion, giving grounds for the appeal.</p>	<p>Vice Principal Curriculum and Support/ Dean of Higher Education An appeal interview with the Appeals Panel will be arranged to take place within 15 working days of the notice of appeal being lodged. The student will be given at least 5 working days' notice of the time and place of the appeal interview and will be entitled to be accompanied by a friend or relative. At the appeal interview, the student will be invited to explain the grounds of the appeal and to state his or her case. For UCEN Manchester students a Completion of Proceedings Letter (COP) will be issued automatically where the appeal has not been upheld. Where the appeal has been upheld or partly upheld, the appeal outcome letter will notify the student they can request a COP letter within 28 days of the date of the outcome of the appeal.</p> <p>(Please see appendices for templates for Appeals)</p>	<p>Any documents considered at earlier stages of the process will be available prior to the appeal, together with the notes taken at meetings with the student held prior to the decision to expel being taken. The outcome will be communicated in writing and documented on Pro-monitor</p>

STAGE 1 VERBAL WARNING

Date

<<Name>>
<<Address 1>>
<<Address 2>>
<<Town>>
<<County>>
<<Postcode>>

Dear

Issue of Verbal Warning

Following our meeting on [date], I am now writing to confirm the details of our discussion.
(Warnings can be issued *in absentia*, where a student fails to attend a scheduled meeting).

You have been found to contravene The Colleges Disciplinary Policy as a result of the following action(s) on [date]:

As a consequence, I am issuing you with a Verbal Warning and now outline the actions which you are now expected to complete by [date].

Failure to comply with this Verbal Warning could result in further disciplinary action, the final stage of which could result in your exclusion from The College.

If you are unsure as to what is required of you then do not hesitate to contact your Tutor or Student Support.

Yours sincerely

Departmental Team Leader

STAGE 2 FIRST WRITTEN WARNING

Date

<<Name>>

<<Address 1>>

<<Address 2>>

<<Town>>

<<Postcode>>

Dear

Issue of First Written Warning

Following our meeting on [date], I am now writing to confirm the details of our discussion. (*Warnings can be issued in absentia, where a student fails to attend a scheduled meeting*). You have been found to contravene The Colleges Disciplinary Policy as a result of the following action(s) on [date]:

As a consequence, I am issuing you with a Stage 2 Written Warning and now outline actions which you are now expected to complete by [date].

Failure to comply with this First Written Warning could result in further disciplinary action, the final stage of which could result in your exclusion your course and from The College.

If you are unsure as to what is required of you then do not hesitate to contact your Tutor or Head of Student Support.

Yours sincerely

Name

Head of Department

STAGE 3 FINAL WRITTEN WARNING

Date

<<Name>>
<<Address 1>>
<<Address 2>>
<<Town>>
<<Postcode>>
Dear

Issue of FINAL Written Warning

Following our meeting on [date], I am now writing to confirm the details of our discussion. (*Warnings can be issued in absentia, where a student fails to attend a scheduled meeting*). You have been found to contravene The College's Disciplinary Policy as a result of the following action(s) on [date]:

As a consequence, I am issuing you with a Final Warning and now outline the sanctions which are imposed from [date] / the actions which you are now expected to complete by [date].

Failure to comply with this Final Written Warning could result in further disciplinary action, the final stage of which could result in your exclusion from The College.

If you are unsure as to what is required of you then do not hesitate to contact your Tutor or Student Support.

Yours sincerely

Name
Assistant Principal

PROCEDURE FOR CONDUCTING A DISCIPLINARY HEARING

1. Any written evidence relevant to the allegation must be provided to the student and the Chair prior to the hearing. It is the student's responsibility to ensure that any witnesses called on his/her behalf are informed of the date, time and venue of the hearing.
2. The student is entitled to be accompanied by relatives or friends.
3. A note taker will be appointed as a neutral party to record the discussions and ensure adherence to the procedures.
4. The member of staff who referred the student to the Disciplinary Hearing would normally be present at the Hearing.
5. The meeting will be chaired by the relevant Head of Department or Assistant Principal who will ensure that all people required at the hearing are present, and that everyone understands the purpose of his/her presence.
6. The Chair will question those providing the evidence.
7. The Chair will allow the student and/or his/her accompanying representative, friend or relative to question those providing evidence, and to raise queries concerning evidence provided.
8. The Chair will summarise the case against the student.
9. The student or his/her accompanying representative, friend or relative to summarise the student's position/situation.
10. The Chair will call a recess to the hearing, in order to consider the arguments and make a decision.
11. The Chair will reconvene the panel and inform the student verbally of their decision.

If at a stage 3 Final Written Warning disciplinary the issue is upheld, then the chair will indicate the means of appeal.

The Chair will close the hearing, confirming in writing the decision, giving details of the means of appeal, and enclosing an Appeals Form. If the student is under 18 inform his/her parents/guardians of the outcome.

APPEAL FORM

The student must complete this form and return it for the attention of the Vice Principal: Curriculum and Support or Dean of Higher education for UCEN Manchester students, within five working days of any disciplinary hearing. Until such time as the appeal has been heard, the student will abide by the decision of the disciplinary hearing.

Date of Panel:			
Student's Surname:		Forenames:	
Course attended			
Home Address			
Contact Telephone No	day/eve/any		
Email			
Please say why you wish to appeal:			
.....			
.....			
.....			
.....			
(Continue on a separate sheet if necessary)			
Names of any witnesses, appearing on the student's behalf			
.....			
.....			
.....			
.....			
Signed by Student Date:			
Signed by Parent/Guardian (If under 18):			

Completion of Procedures Letter Template

Please note - the format may be adjusted to meet the individual circumstances of a complaint provided that the key points below are included.

Dear [*Name of complainant*],

Completion of Procedures Letter

This letter confirms that the internal procedures of [*name of higher education provider*] in relation to your *complaint / appeal etc** regarding [*please describe*] have been completed.

The issues that you raised in your *complaint / appeal etc** were [*details*]

The issue(s) that were considered in relation to your *complaint / appeal etc* was / were*: [*brief summary of the complaint etc*].

The final decision of [*name of higher education provider*] is* [*detail*] because [*reasons*].

The procedures / regulations applied were*: [*details and date as supplied to the OIA's electronic Regulations Bank*].

[*Name of provider*] subscribes to the independent scheme for the review of student complaints. If you are dissatisfied with the outcome you may be able to apply for a review of *your complaint / appeal etc** to the Office of the Independent Adjudicator for Higher Education (OIA) provided that the complaint you take to the OIA is eligible under its Rules.

Should you decide to make a complaint to the OIA, your OIA Complaint Form **must be received by the OIA** within **12 months** of the date of this letter, that is, it must be received by the OIA **on or before** [*insert date - e.g. if the Completion of Procedures Letter is dated 9 July 2015, this date should be 9 July 2016*].

[*Include here any factors of which the provider is aware which mean that it is particularly important for the student to bring the complaint promptly.*]

You can fill in the OIA's complaint form online or download a copy from the OIA website. <http://oiahe.org.uk/making-a-complaint-to-the-oia/oia-complaint-form.aspx>. The OIA also publishes *An Introduction to the OIA Scheme for Students*, which can be downloaded from <http://www.oiahe.org.uk/media/122228/intrototheoia-students-april2018.pdf>. Alternatively, you can telephone or write to the OIA for a form. **You should send a copy of this letter to the OIA with your OIA Complaint Form.**

Guidance on submitting a complaint to the OIA and the OIA Complaint Form can also be found on the OIA's website <http://www.oiahe.org.uk/making-a-complaint-to-the-oia/how-to-make-a-complaint.aspx>. You may also wish to seek advice from the Students' Union about taking your complaint to the OIA.

Please note that the OIA will normally only review issues that have been dealt with through the provider's internal procedures.

Yours sincerely,

[Authorised signatory]

UCEN Manchester Appeal Outcome Letter Template (to be used where appeal has been upheld or partly upheld)

Our Ref:

[Date]

[Address]

STRICTLY PRIVATE AND CONFIDENTIAL

Dear

Under the UCEN Manchester Student Disciplinary Policy and Procedure, the appeal panel has sat and reached an outcome to your appeal.

The issues that you raised in your appeal were [details]

The issue(s) that were considered in relation to your appeal: [brief summary of the basis of the appeal etc].

The final decision of UCEN Manchester is that your appeal has been upheld/partly upheld (delete as appropriate) because [reasons].

This letter confirms that all the internal procedures of UCEN Manchester, in relation to your appeal under the Student Disciplinary Policy and Procedure have been completed. As your appeal has been upheld/partly upheld you will not be automatically be issued with a Completion of Proceedings letter. You have the right to request a Completion of Proceedings Letter within 28 days of the date of this letter, which would allow you to apply to the Office of the Independent Adjudicator (OIA) for a review. The OIA Complaint Form must be received by the OIA no later than 12 months after the date of the Completion of Procedures Letter.

Yours sincerely

Signature

Contact Details

PROCEDURE FOR THE CONDUCT OF APPEALS

An Appeal is heard by the Vice Principal or Principal. The VP/Principal will act as Chair. The College position should be presented by a member of the original Disciplinary Hearing. The student may be accompanied by a friend or relative who is designated to speak on his/her behalf (hereafter referred to as the Representative).

- 1 The Chair to introduce all people present at the appeal.
 - 2 The Chair to ensure that all people required at the appeal are present, and that everyone understands the purpose of his/her presence.
 - 3 The Chair to ensure that the student has an accompanying representative to speak on his/her behalf, if he/she so wishes.
 - 4 The Chair to invite The College representative to present The College position, calling witnesses if appropriate.
 - 5 The Chair to question those providing the evidence for The College position.
 - 6 The Chair to allow the student and/or his/her accompanying representative to question those providing evidence, and to raise queries concerning evidence provided.
 - 7 The Chair to allow the student and/or his/her accompanying representative to reply to the allegations, calling witnesses as required.
 - 8 The Chair to allow questions to the witnesses and/or the student.
 - 9 The Chair to invite The College representative to summarise the situation against the student, followed by the student or his/her accompanying representative to summarise the student's position.
 10. The chair to call a recess to consider the evidence.
 - 11 The following options are available as a result of the Appeal:
 - a) To uphold the decision of the disciplinary hearing.
 - b) To overturn the decision of the Assistant Principal and, where appropriate, commute that decision to that of a Stage 3 Final Warning.
 - c) To decide that no action should be taken against the student.
 12. All outcomes will be documented and provided to the student/parent/guardian and recorded on Pro-monitor.
 13. The decision of the Appeal panel is final and will not be revoked
 14. For UCEN Manchester students, a Completion of Proceedings (COP) letter will issued automatically, where the appeal is not upheld.
 - 15 For UCEN Manchester students, an appeal outcome letter will be issued to students, which informs them of their right to request a COP letter within 28 days of the date of the appeal was conclude, where an appeal is upheld or partly upheld.
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