



ABERDEEN COLLEGE®
STUDENTS' DISCIPLINARY CODE





introduction

Aberdeen College is committed to meeting the needs of students by providing high quality education and training in an environment conducive to learning. Further detail of this commitment is contained in the College's Clients' Charter. If you do not feel that the College is meeting its obligations under this Charter you are entitled to complain using the College's established Complaints Policy and procedure.

In return, the College expects a reasonable level of behaviour and commitment by individual students, relating to

- Equality of opportunity
- Attitude to learning and study
- Safety and health
- Respect for the College environment and facilities

This should ensure that all students are able to derive the maximum benefit from their study. Further details of the College's expectations are provided in the **Students' Code of Commitment**.

This Students' Disciplinary Code has been developed to indicate the kinds of behaviour which are not acceptable, and the action which may be taken as a result by the College. The Code is separate from any procedure used to deal with issues of attendance and progress at College. It applies to enrolled students of the College except those on any agreed School/College link programme (the disciplinary responsibility here lies with the respective Local Authority).



unacceptable behaviour

In general terms, any failure to meet the requirements of the College's Students' Code of Commitment is unacceptable.

The following are examples of what the College considers to be unacceptable behaviours which may result in disciplinary action. It is not intended that this is an exhaustive list of such behaviours.

- Physical or verbal abuse, or threat of abuse, of any person on College premises (or at College activities); or anyone employed by, or working on behalf of, the College
- Any form of harassment, or intimidation including by electronic means e.g. cyberbullying
- Possessing, selling, using or distributing controlled substances (i.e. 'drugs')
- Breaches of College fire and other health and safety regulations (including failure to comply promptly with evacuation procedures, and interference with safety notices and equipment)
- Theft or attempted theft of personal or College property
- All forms of dishonesty, including cheating, or plagiarism (academic dishonesty)
- Knowingly furnishing false information to the College
- Forgery, and alteration - or unauthorised use - of College documents with intent to defraud others or to misrepresent oneself
- Using, or trading in, alcohol on College property or at College activities, except where prior written permission is granted by the Principal
- Breaches of no-smoking policy and/or practices (e.g. smoking in unauthorised places)
- Unauthorised gambling in College premises or at College activities. (Authorisation can only be granted by the Principal and any request for authorisation must be made to the Principal, in writing)
- Wilfully damaging, or threatening to damage, any College property or facilities
- Accessing, handling or distributing any unacceptable material (e.g. pornographic or racist) either in electronic or paper media
- Accessing blocked social networking sites
- Unacceptable use of College IT systems to include breach of the College's Acceptable Use Policy
- Failure to seek the Principal's written approval before posting images of Aberdeen College itself, its staff, students or contractors to social networking or content sharing sites (except where such a posting is an agreed piece of student work approved by the delivering lecturer, can be identified as such and is time bound)
- Littering, defacing or destroying personal or College property
- Wilful disruption of College activities
- Breaches of College parking regulations or prohibitions
- Unauthorised entry to College premises or activities



- Refusing to depart from College premises when instructed to do so by an authorised member of College staff, or any person contracted by the College (e.g. security staff)
- Wilfully encouraging others to commit any of the above acts
- Being arrested and/or charged or convicted of a criminal offence which, in the opinion of the College, would give rise to a legitimate concern that continued attendance at College may have an adverse effect on the work of the College, or pose an unacceptable risk to College staff, or students, or any others who regularly work in or attend the College.

Where the College considers an instance of unacceptable behaviour to be an act of gross misconduct then this will be dealt with through the formal disciplinary process.

Where the College considers an instance of unacceptable behaviour to be unlawful the relevant authorities will be informed.

disciplinary procedures: informal procedures

The College will usually try to deal with unacceptable behaviour by informal counselling and will normally use the formal disciplinary procedure when this counselling proves unsuccessful or is inappropriate in the circumstances (e.g. an instance of gross misconduct.)

Stage 1

If a student's behaviour does not reach the required standard, a member of College staff will discuss the problem with the student.

Stage 2

If a student's behaviour continues to be unacceptable, or where the unacceptable behaviour is of a more serious nature, a member of College staff will meet with the student to discuss the unacceptable behaviours, agree actions within a reasonable timescale that seek to improve the position, and explain possible further disciplinary sanctions should there be no improvement.

Stage 3

If a student's behaviour continues to be unacceptable, or where the unacceptable behaviour is of a more serious nature, a member of College staff may take one of the following actions:

(a) Following a meeting with the student (where this is possible) issue a written warning explaining the nature of the unacceptable behaviour and actions agreed within a reasonable timescale to improve the position. The student should be informed that should there be no improvement this will lead to the instigation of the formal disciplinary process.

(b) Following a meeting with the student (where this is possible) refer the matter to the Associate Principal (Student Support Services) for consideration of the implementation of the formal disciplinary process. The student should be informed of this referral and the unacceptable behaviours being considered and the possible outcome of those considerations.



Where appropriate a precautionary suspension may be imposed on a student by College staff.

Where the seriousness of the incident justifies it, stage 1 or stages 1 and 2 may be omitted.

Any investigation as part of the process should be completed in a reasonable timescale with reference to the nature of any allegation.

disciplinary procedures: formal procedures

Within the College the Principal has overall responsibility for student discipline. The Associate Principal (Student Support Services) is responsible for the implementation of the formal disciplinary process.

If an issue is referred to the Associate Principal (Student Support Services), and if s/he concludes that the allegations of unacceptable behaviour are sufficiently serious, then the student will be asked to attend a Disciplinary Hearing before a Disciplinary Committee. In reaching this decision the Associate Principal (Student Support Services) will consider both current and, where relevant, previous evidence collected at any part of the disciplinary process.

If it has not happened already then, where appropriate, the Associate Principal (Student Support Services) may impose a precautionary suspension on the student.

In the event of the issue being concerned with academic dishonesty (e.g. plagiarism), the issue will be considered in the first instance by the relevant College manager. His/her decision will be subject to confirmation by the Associate Principal (Student Support Services) as will any decision to instigate the formal disciplinary process where relevant.

disciplinary committee

The Disciplinary Committee normally comprises:

a member of the College Senior Management Team, who will act as Chairperson; three members of the College's staff (unconnected with the alleged breach of discipline), including (if available) a member of the College's Learner Services Team; and (if available) one representative of Aberdeen College Students' Association. Three constitutes a quorum, and the Chairperson has a vote. Cases will be decided by a simple majority of those present and voting (the chair will have a casting vote if necessary).



disciplinary measures

In the event of the Disciplinary Committee deciding that the student's behaviour has been unacceptable, it can decide to impose any of the following disciplinary measures:

- 1 Removal of access to specified College facilities.
- 2 An oral warning notifying the student of the behaviour which is unacceptable, and the possible consequences of repeated unacceptable behaviours.
- 3 A written warning notifying the student of the behaviour which is unacceptable, and the possible consequences of repeated unacceptable behaviours.
- 4 A final written warning notifying the student of the behaviour which is unacceptable and the possible consequences of repeated unacceptable behaviours.
- 5 Dismissal from the College.

The management of the College has the right not to admit as a student an individual who has previously been dismissed from the College.

If it is proved that the student has wilfully damaged College property, or wilfully damaged or misappropriated College equipment, the College may seek financial compensation from the student.

conduct of hearings:

prior to the hearing - the student:

- Will receive written notification of the date, time and place of a hearing at least 5 working days before the date of the hearing (the College will work on the assumption that documents sent by first class post will be received within 24 hours)
- Will receive a written statement of the issue which the Disciplinary Committee will be considering, and a copy of this Students' Disciplinary Code
- Will be allowed access on request, in advance of the hearing, to any material evidence the Disciplinary Committee will be considering at the hearing
- May choose not to attend the hearing in which case it will be held in her/his absence
- May submit a written statement containing matters which s/he wishes to be discussed, whether or not s/he chooses to attend the hearing.

at the hearing - the student:

- May be accompanied by someone to advise her/him at the hearing, but that person may not speak for the student. The person may be a relative or friend or representative of the Students' Association. If the student chooses to exercise this right, s/he must advise the Associate Principal (Student Support Services) of his/her intention at



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least 2 working days before the hearing. Formal legal representation is not permitted, and an accompanying friend cannot be a qualified Solicitor or Advocate

- Has the opportunity to call witnesses on his/her behalf and, subject to the agreement of the Disciplinary Committee, to question witnesses called by others.

after the hearing - the student:

- Will receive written notification of the outcome of a hearing within 10 working days following the hearing. In the event that the decision of the committee is that the student has not behaved in an unacceptable way, written notification will be sent to her/him within 5 working days following the hearing.

right of appeal - the student:

- Has the right to appeal to the Principal of the College against the decision of the Disciplinary Committee. The appeal must be sent in writing to the Principal within 10 working days of the date of notification of the results of the hearing. The only permitted grounds of appeal are that the process by which the hearing was conducted was flawed, or that the penalty imposed was disproportionate. The Principal (or in her/his absence, a Vice Principal) will consider the appeal.

There is no right to a further hearing, although the Principal may request that a person connected with the incident or the decision submit a written report or provide oral evidence. In the event that oral evidence is requested the student and his or her companion will be entitled to be present while the evidence is given. The Principal, or his/her nominated representative, will respond within 10 working days. With the exception of the time allowed for an appeal, timescales given in this Code are for guidance and may be varied where it is not possible to keep to them.

student disciplinary records

Any records of hearings or of disciplinary action taken against the student will be retained by the College under confidential cover and will not be provided to any third parties except where the College is required to comply with statutory and other legal provisions.

Disciplinary decisions (as opposed to records of hearings) will be communicated to relevant College staff. Where the disciplinary decision has led to the imposition of a disciplinary measure, in the case of the removal of access to specific College facilities, an oral warning, a written warning or a final written warning then the reason for that measure will also be shared. Where the disciplinary measure is dismissal from the College then the reason for this will not be shared.



students' disciplinary code



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