

# IBCM Student Disciplinary Policy

## **1.0 Purpose**

- 1.1 International Business College Manchester aims to provide students with a positive enjoyable and rewarding learning experience, where there are no barriers to student success and progression. If a student's behaviour prevents others from feeling safe, secure, respected and able to learn effectively, then this may result in disciplinary action.
- 1.2 The purpose of this policy is to ensure that all instances of student misconduct are dealt with fairly and consistently and provide a clear procedure to guide both staff and students.

## **2.0 Scope**

- 2.1 This policy applies to all enrolled students and covers misconduct alleged to have occurred on the premises or other activity carried out as part of the student's course. This includes work related activities, college educational visits and any college activities carried out using digital means (distance/blended learning, VLE, use of social media).
- 2.2 Students with English as a second language will be offered appropriate support with disciplinary procedures.
- 2.3 Carers/parents of any students under 18 or with learning difficulties or disabilities will always be informed of action taken against the student under the college's disciplinary policy.
- 2.4 This policy covers both personal misconduct and academic misconduct
- 2.5 Standards of behaviour expected at IBCM are covered in the IBCM Student Charter. This policy deals with the actions to be taken if the standards are not adhered to by the student.

### **3.0 Responsibilities**

- 3.1 Students** are responsible for abiding by all legislation and college regulations and adhering to the Student Charter and their learning agreement. Relevant policies and procedures will be discussed with students at their induction.
- 3.2 Tutors and Programme Leaders** are responsible for monitoring student behaviour and ensuring students fully understand what is required of them. Tutors/Programme Leaders will have informal discussions and reviews with students on a regular basis where any issues can be “nipped in the bud” before becoming disciplinary matters.
- 3.3 The Welfare Officer** will be responsible for liaising with tutors and programme leaders in terms of non-academic offences and responding to these/reporting and escalating these as appropriate
- 3.4 The Academic & Quality manager** will be responsible for responding to/reporting/escalating any academic conduct matters
- 3.5 The Principal or Managing Director** will be responsible for liaising with the Management Team and convening formal hearings if and when required in relation to disciplinary matters
- 3.6 The Board of Governors** will be responsible for making the final decision on the ultimate sanction i.e. to formally expel a student from IBCM.

### **4.0 Misconduct**

#### **4.1 Behavioural Misconduct**

Behavioural misconduct will be classed as minor misconduct or major misconduct on the basis of the apparent gravity of the offence and the penalty that could be imposed if an allegation is substantiated. Examples are as follows:

##### **4.11 Minor misconduct**

- Poor attendance\* and punctuality without an acceptable explanation
- Behaviour which is disruptive to staff/students
- Rudeness and/or inconsiderate behaviour
- Failure to follow a staff members reasonable instruction (for example identifying themselves when asked)
- Misuse of college IT equipment
- Inappropriate use of IT and/or social media

#### 4.12 Major misconduct

- Abuse or harassment as defined in the College's Equal Opportunities Policy
- Serious disruptive or offensive behaviour
- Behaviour likely to cause injury or harm to themselves or others
- Inappropriate use of the internet and online or phone communications including accessing or transmitting material which is considered by the college to be obscene, abusive, sexist, racist defamatory or in any other way likely to cause offence
- Inappropriate behaviour resulting from the use of recreational drugs or alcohol or the possession of them
- Promotion or selling of drugs
- Carrying an offensive weapon
- Theft or fraud
- Bringing the College into disrepute

*(\*Please also refer to IBCM Attendance Policy for specific requirements in respect of attendance including essential legal obligations of all student route students)*

#### 4.2 Academic Misconduct

4.21 Academic misconduct is a form of cheating that occurs when a student tries to obtain or obtains an unfair academic advantage. IBCM will not accept academic misconduct in any form and the seriousness with which cheating is viewed will be reflected in penalties imposed. Academic misconduct is subdivided into class 1 or class 2 offences – while these can both be for the same category of offence, for example plagiarism, it will be the *extent* of the offence which will determine whether this is class 1 or 2. depending on the apparent gravity of the offence and the penalty imposed if an allegation is substantiated.

4.22 **Plagiarism** is one form of academic misconduct. It refers to the taking of another person's thoughts, words, images, results, judgements and ideas and presenting them as your own. Students must be careful to ensure that all direct quotations from published or unpublished work (including that of other students) are identified as such, with a full reference to the source provided, in the proper form. This includes images and audio-visual presentations. Students will be asked to sign statements to confirm authenticity of all their work produced and, where possible, will have opportunities during classroom lessons to demonstrate that the work they are producing is their own.

- 4.23 Other forms of academic misconduct or **malpractice** (any act or practice which compromises, or attempts to compromise, the integrity of any qualification offered by IBCM) include:
- collusion by working collaboratively with other learners to produce work that is submitted as individual learner work
  - fabrication of evidence or results
  - false declaration of authenticity in relation to the contents of a portfolio or coursework
  - theft of another candidate's work
  - copying from another candidate (including the use of IT to aid the copying)
  - allowing work to be copied
  - disruptive behaviour during an assessment session or in an examination room
  - failing to abide by the conditions of supervision designed to maintain the security of assessments or examinations
  - impersonating someone else in order to produce the work for another or arranging for another to take one's place in an assessment/examination.
  - Taking unauthorised material into an examination

### 4.3 Standard of Proof

In considering alleged disciplinary offences the standard of proof required is that it is more likely than not that something is or is not the case (the 'balance of probability' or civil justice) rather than 'beyond all reasonable doubt' (as in criminal justice)

## 5.0 Disciplinary procedures

### 5.1 Non-Academic misconduct procedures

#### 5.11 Minor offences\*

**Stage 1:** In the first instance it is expected that the class tutor or Programme Leader will informally warn the student and remind them of standards of behaviour expected from them. Students will also be offered support or further guidance as may be required. It is hoped that in the majority of instances, this intervention will be sufficient to prevent further incidences of misconduct.

**Stage 2:** Should this not happen, stage 2 will involve formal proceedings which will involve attending a one-to-one meeting with their Programme Leader and/or the Centre Manager where they will be given a verbal warning in respect of their behaviour. Details of the meeting will be recorded. The student will have the opportunity to discuss the issue, ask any questions and provide any evidence in mitigation.

**Stage 3:** Should stage 2 not result in sufficient improvement, the disciplinary will progress to stage 3 which will involve a meeting with the Managing Director and/or a member of the Board of Governors. The situation will be reiterated to the learner and a formal written warning issued. The student will be required to sign and agree to the terms in the warning letter.

Should any further instances occur, these will now be dealt with according to the major gross offences sanctions.

*\*In respect of attendance, see also IBCM Attendance Policy for specific legal requirements related to Student Route students.*

## 5.12 Major/gross offences

The process for dealing with gross misconduct will depend on the nature of the offence (see criminal offences below) and whether or not there is any immediate danger to the student or others.

All major offences will go straight to stage 3 and will involve meeting with the Managing Director and another member of the Board of Governors. The student can choose to be accompanied by another person. The penalty imposed will depend upon the nature of the offence and in the most serious cases could result in immediate expulsion from the college. Otherwise the student will be given a formal written warning, with an agreement that they must sign. This agreement will include timescales and follow up arrangements.

Any further breaches will result in a final meeting (stage 4) and the student being advised that they are being expelled from the College.

As detailed in 5 below, there may also be instances when it is appropriate to suspend the student whilst an investigation is taking place.

## 5.2 Academic Misconduct procedures

### 5.21 Class 1 offences

For academic misconduct deemed to be less serious in nature (class 1) the student will attend a meeting with their Programme Leader who will show them the evidence for their misconduct. The Programme Leader should ensure that the student understands exactly why their actions were not acceptable.

The student will be given a verbal warning in respect of their conduct. Depending on the exact nature of the offence, the student may be given the opportunity to re-word their work, or have an alternative assessment method used such as a guided discussion or oral presentation. If there is, for example, minor plagiarism, the work may still be submitted and the mark capped to take this into account. If a student brings material into an examination which is not permitted, removal of this material should be sufficient and the student would be allowed to sit the examination. The warning will be recorded.

## 5.22 Class 2 offences

For academic misconduct of a more serious nature (class 2) or where there is a repeat of class 1 offence, the student will face more serious sanctions which can include failing an examination, an assignment, or a whole module. The student will have a meeting with the Programme Leader and Quality Manager which will be recorded. A written warning will be given to the student with details of sanctions being imposed.

For further repeats of class 2 offences the student may be withdrawn from a module or the whole programme. The Quality Manager will provide information to the Board of Governors who will make the final decision. The QM may seek guidance from the relevant awarding body at this time.

## 5.3 Procedures for student who does not attend meetings/respond to correspondence

- 5.31 Should a student indicate in advance of a meeting that he or she is unable to attend the meeting on the scheduled date, one further attempt will be made to reschedule the meeting to facilitate the student's attendance.
- 5.32 If a student does not attend a meeting and does not communicate with the member of staff or Chair who has called the meeting concerning the reason for his/her non attendance, the member of staff/Chair will consider whether the meeting should proceed in the absence of the student. The member of staff should take into account the seriousness of the allegations and whether they could lead to expulsion, the cost of arranging further meeting and the possible detriment to the student and/or IBCM by the meeting being delayed.
- 5.33 Where the student provides a reason for his/her non-attendance, the member of staff or Chair will consider whether the reason provided is acceptable and the meeting should be reconvened.
- 5.34 Where a meeting is to be reconvened the student should be notified again in writing of the details of the meeting.
- 5.35 Procedures may be varied in the cases of alleged offences deemed to require immediate consideration.

## 6.0 Criminal Offences

- 6.1 The college has a duty of care to its staff and students and therefore should be informed of any alleged criminal activity by its students. If at any time during his/her enrolment a student is cautioned or arrested for, or charged with a criminal offence, (except parking or speeding offences which are subject to fixed penalties) he or she shall be required to report this immediately to the Principal and to continue to report on the progress of any criminal proceedings. Failure on behalf of a student to inform the College will be regarded as misconduct.

- 6.2 Students are required to declare any unspent criminal convictions to the college, together with any relevant supporting information. Students who do declare unspent convictions will be asked to provide further details and will be given ten working days to provide this documentation. Failure to provide this documentation will lead to a disciplinary hearing and could result in the student being withdrawn from the programme.
- 6.3 The college reserves the right to report potentially criminal activity to the police and/or to advise potential victims of their right to do so. If the incident is of a potentially serious nature, the college may choose to suspend the student and may defer carrying out disciplinary action until any criminal proceedings are concluded. In these circumstances a risk assessment will be undertaken to ensure that any risk to other students or the college is maintained.

## **7.0 Support for students during the disciplinary process**

- 7.1 Staff are required to act impartially and ensure that students fully understand why they have been subject to the disciplinary process. Students must be given a chance to put their case and be told what will happen next.
- 7.2 Disciplinary action at the early stages will require an action plan for improvement to be drawn up which sets out clear targets and this will be recorded. The student can expect to be supported by their tutors or assessors and by their manager to address any underlying problems and be referred for additional support as appropriate.
- 7.3 Where the student is issued with a final written warning they must sign and agree to the terms contained in the letter. The student will be closely monitored by an appropriate senior manager to ensure they meet all the conditions imposed. Failure to comply with this will escalate the procedures and may result in the student's immediate exclusion.
- 7.4 Staff are available to support students through the disciplinary process and can refer to other agencies for support if required.

## **8.0 Reference Points**

The following policy and procedure documents support the information in this policy:

- IBCM Student Charter
- IBCM Equal Opportunities Policy
- IBCM Appeals policy and procedures
- IBCM Student Welfare Policy
- Student Handbook
- IBCM Attendance Policy

## **9.0 Version History**

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|----------------|------------------|
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