

APPENDIX N: DISCIPLINARY PROCEDURES

INTRODUCTION

The success of the National Centre for Circus Arts (referred to here as the School) depends in large part on the qualities and capabilities of those that work and study within it. The National Centre seeks to encourage an environment in which everyone can learn and enjoy the academic and social life of the School. Disciplinary procedures at the School deal with matters of misconduct and unsatisfactory behaviour. If there is cause for concern over a student behaving in an unacceptable manner, he/she may be subject to the School's Disciplinary Procedure. For details of the National Centre Degree Programmes Code of Conduct and the National Centre Code of Conduct, please consult Appendix J.

The examples below are indicative rather than a complete list of actions that are seen to be unacceptable and which may be in breach of the School's rules, regulations or policies:

- poor or non-attendance
- conduct that prevents or disrupts teaching, learning or assessment
- conduct likely to cause loss, damage or harm to the school, its staff or students
- behaviour which breaches the School's commitment to equal opportunities
- aggressive, threatening, indecent, disorderly, offensive behaviour or language
- any form of harassment
- misappropriation of funds or assets belonging to the National Centre for Circus Arts
- any criminal offence or misconduct committed on or off the premises, which is detrimental to the good name of the School.

INFORMAL APPROACH

- 1 It is anticipated that an informal approach will resolve many issues and this will normally be used first. This will usually take the form of a verbal warning from a Course Managers or other relevant member of staff such as the Performance and Academic Leader or Juggling Strand Manager. When this is possible and the issue is resolved, no record will be kept on the student's file but the member of staff may keep a brief confidential note for reference purposes, which may be referred to for a period of up to six months. Part of the resolution could be the student making appropriate recompense.
- 2 Where an informal approach is not effective or where the offences are serious or repeated despite verbal warnings, the formal stages of the disciplinary procedure will be used as set out below.

THE FORMAL DISCIPLINARY PROCEDURE

- 1 The formal disciplinary procedure has three stages. In exceptional cases the disciplinary panel may elect to move directly to stage 2 or directly to stage 3. The reasons for this will be made clear to the student in writing prior to the disciplinary meeting.
- 2 The student has the right to be accompanied at any stage of the formal disciplinary procedure by a friend who is not acting in a professional capacity or a student representative.

- 3 At each stage of the formal disciplinary procedure, reasonable provision will be made by the School to ensure that the student and his/her companion can attend the meeting and in the same respect, the student has a duty to take all reasonable steps to attend. The student will be notified in writing of the time, date and place and, of the nature of the alleged unaccepted behaviour and supporting evidence. Reasonable time will be provided to the student to allow for any preparation required for the meeting, normally a minimum of five working days for Stages 1 & 2 and a minimum of 21 working days at Stage 3. This may be reduced at the agreement of the student.
- 4 Copies of any written material, or the names of any witnesses to be called, must be made available to the student, at least 4 days before at stages 1 & 2 and at least 7 days before at Stage 3.
- 5 At all stages the process will be overseen by the Head of Academic Administration, who will also keep records of any meetings which take place.

STAGE 1

- 6 If as a result of informal action the issue is not resolved a meeting will be held with two members of staff (to include at least one Course Managers) where the matter will be discussed formally. During the course of the meeting, the nature of the problem will be explained based on the evidence gathered regarding the student's behaviour/conduct. The likely consequences of failure to address the identified problems or to modify his or her behaviour will also be explained. A record of the meeting and the outcome will be placed on the student's file and will be taken into account in any subsequent meeting.
- 7 If it is felt to appropriate, the student may be issued with a first written warning explaining the nature of the misconduct and the change in behaviour required. On issue of the statement, the student will be advised that further incidents of misconduct may result in a final written warning or expulsion. A copy of the statement will be placed on the student's file and will be taken into account in any subsequent meeting.

STAGE 2

- 8 If as the result of an oral or first written warning the issue remains unresolved, a second meeting will be held with two members of staff (to include at least one Course Managers) who if appropriate will issue a final written warning based on the evidence gathered regarding the student's behaviour/conduct, outlining what modifications needs to be seen in order to prevent progression to stage 3 of the process. A copy record of the meeting and the outcome will be placed on the student's file and will be taken into account in the event of further action.

STAGE 3

- 9 At this stage, allegations of misconduct will be considered by a panel of three members of staff chaired by the Director of Higher Education (or a designated nominee). No member of the Panel will have had any prior involvement with the student's formal disciplinary history. The record and outcomes of the panel meeting will be placed on the student's file.

- 10 The panel may apply one of the consequences set out below. Where it is recommended that the student be suspended or expelled from the School, the decision must be confirmed by the Chief Executive. In considering the recommendation, the Chief Executive will be provided with written material presented in earlier proceedings, the record of those proceedings and the decision(s) reached.

CONSEQUENCES OF MISCONDUCT

- 11 At any stage of the procedure, a student may:
- receive an oral or written warning
 - be required to pay compensation/or cost for damage or loss
 - agree to apologise to the injured party
 - be suspended from the School's premises or facilities for a defined period
- 12 At Stage 3 a student may be
- suspended from his/her studies for a defined period
 - be expelled from the School.

The severity of the penalty imposed will be consistent with the gravity of the complaint. Where a lesser penalty is appropriate this may be coupled with action to ensure that all parties involved can continue working together without anxiety.

In the event of gross misconduct a student may be suspended or expelled without notice.

If the student is considered to be free of blame the individual will be told that no further action is to be taken and all records of the incident will be destroyed.

RIGHT OF APPEAL

- 13 Students have the right to appeal against any disciplinary action taken. Details of the School's Student Appeals Procedure are available in Appendix L of the Student Handbook.

Reviewed and approved by Academic Board 31.08.16