



Discipline Policy and Code of Conduct

Policy and Procedures Governing Student Conduct

1. Student conduct: Introduction

1.1 The Collective Acting Studio is committed to providing high quality education and support to all its students.

1.2 In the interests of the entire community, we expect certain standards of individual behaviour. We promote an inclusive environment where different perspectives, values and attitudes are valued, where any unfair treatment or discrimination is challenged and where all staff and students are able to reach their full potential regardless of their age, disability, gender reassignment, marriage or civil partnership, pregnancy or maternity, race, religion or belief, sex, or sexual orientation.

The college expects all members of staff, students and visitors to share and promote this ethos.

1.3 The college also has a duty to maintain the integrity of its awards and action will be taken where cheating or other unfair behaviour by students is identified.

1.4 When you enrol, you agree to abide by the college's regulations and policies as well as those specifically included as part of your programme of study.

1.5 The college treats misconduct offences very seriously and penalties will be given for proven cases, including withdrawal from the college for very serious or repeat offences. It is therefore very important that you understand the contents of this policy and the types of behaviour that will not be tolerated.

1.6 Queen Margaret University sets out our ethos, culture and context of behaviour we expect from all our students, and failure to follow its principles, however unintentionally, is likely also to put you in breach of our regulations.

1.7 This policy applies to all registered students of The Collective Acting Studio. It applies to behaviour wherever, and whenever, it may have taken place when it is considered by the college to be detrimental to another member of the college, college property or the interests and reputation of the college itself. It includes behaviour arising at any time when you may be regarded as representing the college as an individual or as part of a team or group. It also applies whether you are living or studying in our halls of residence or at some location away from the college either as part of your studies or following an arrangement made through the college.

2. Definition of Misconduct

2.1 An act will be regarded as misconduct, and therefore the subject of disciplinary action:



Discipline Policy and Code of Conduct

- if it constitutes or is likely to constitute improper interference with the proper functioning and activities of the college; or
- if it in any way interferes with the work, study or life of members of the college; or
- if it damages or is likely to damage the reputation of the college

2.2 This includes but is not limited to the behaviours listed below. Offences initially classed as minor may be pursued as major offences if this was deemed more appropriate by the college following an initial investigation. You can see examples of sanctions applied to the various forms of misconduct in appendix 1.

2.3 Misconduct:

- a. a first or second minor breach of college regulations or policies /terms and conditions e.g., smoking in non-designated areas, ignoring fire alarms, using college IT equipment or their college IT account for downloading unauthorised material from the internet;
- b. failure to respond to reasonable requests or directions by college staff;
- c. noise disturbances in college buildings;
- d. damage to college property or property of other student, staff, or visitors;
- e. inappropriate use of other's equipment (including use of phone/ IT equipment/social media profile/ email account)
- f. use of college facilities or facilitating others to use college facilities or premises without prior authorisation;
- g. possession or use of drugs that are prohibited by the college and which are listed here:
 - Illegal drugs covered under the misuse of drugs act 1971.
 - Prescribed Medications covered under the Medicines Act 1968, that have not been prescribed to that individual student, or which have been tampered with to deface the details of the person to whom they have been prescribed.
 - Novel Psychoactive Substances and Compounds that produce a psychoactive effect by stimulating or depressing the central nervous system & affect mental functioning or emotional states.
 - In addition, students shall not use without reasonable excuse any substances that are unfit for human consumption in a way that is potentially hazardous to health (i.e., the inhalation of solvents or gases).
- i. a serious or persistent breach of college regulations or policies or terms and conditions;
- j. purchase or order goods or services on behalf of the college without due authorisation;
- k. misappropriation of any college property, funds or assets or property of other students;
- l. makes malicious allegations against other members of the college;
- m. vexatious complaints and/or statements against the college or its members;
- n. verbal abuse or threats made against members of the college;



Discipline Policy and Code of Conduct

- o. refusal to pay a fine or observe another penalty imposed under this regulation;
- p. fail to leave any of the college premises when reasonably required so to do by an authorised individual.
- q. significant breach of health and safety requirements, endangering the wellbeing of students, staff, and visitors (including but not exclusive to tampering with fire alarms/smoke detectors or other safety equipment in a college building);
- r. engages in activity or behaviour which contravenes the college's Equality, Inclusion and Diversity statement
- s. behaves in a way which unreasonably interferes with the legitimate freedoms of any other student, staff, or visitor, or which disrupts or interferes with activities properly carried out by the college
- t. possession of firearms, other weapons, and explosives either real or imitation, on the college premises;
- u. falsification or serious misuse of college records, including degree or diploma certificates;
- v. failure to disclose relevant information (e.g., criminal convictions)
- w. false pretences or impersonation of others, within or outside the college, in connection with academic attainments, attendance monitoring, or visa checking points;
- x. theft, fraud, misapplication of or gross negligence in connection with funds or property of any kind;
- y. causing physical harm; threatening, offensive or indecent behaviour;
- z. offences against the criminal law, where these offences involve other students, staff or visitors or directly affect the interests of the college;
- aa. sexual harassment, sexual assault, online harassment, hate crimes, hate incidents stalking or discrimination related to any of the following:
 - race, nationality and/or culture
 - religion and/or belief (for example, Islamophobia, anti-Semitism)
 - gender and Gender Identity (for example, misogynistic abuse, transphobia)
 - sexual orientation (for example, homophobia, biphobia)
 - disability including learning disabilities, mental health, physical disabilities
 - age
- bb. bullying of students, staff or visitors
- cc. conduct which is likely to bring the college into disrepute.
- dd. persistent minor offences, or multiple concurrent minor offences



Discipline Policy and Code of Conduct

3 Procedures for Dealing with Allegations of Misconduct

3.1 General Principles

- a) The Collective Acting Studio actively encourages students and staff to bring to its attention the behaviour of others, whether a single occurrence or in a pattern, which may fall within the definitions of section 2 above.
- b) The procedures are designed to ensure that in taking disciplinary action against a student the college acts fairly and consistently in relation to all students.
- c) All allegations of bullying, harassment, or victimisation, whether informal or formal, will be regarded as a serious matter and will be dealt with in a sensitive, objective manner, respecting the rights of all parties involved.
- d) The Collective Acting Studio will conduct disciplinary cases in a confidential and sensitive manner. The identity of individuals who make complaints against others will be kept confidential to the extent that this may be practical. However, those accused of misconduct have the right to answer, which in most cases will mean that the identity of those making the accusation will be made known to the accused.
- e) The outcome of any disciplinary or appeal hearing shall be determined on the balance of probabilities, according to reasonable belief in the student's innocence or guilt.
- f) The Collective Acting Studio will not disclose any information to third parties regarding investigations and outcomes from student conduct cases unless legal exceptions under General Data Protection Regulations (GDPR).

3.2 The CEO/Course Leader has overall responsibility for the operation of the disciplinary procedures.

3.3 Informal reporting allegations of misconduct

3.3.1 The Collective Acting Studio understands and recognises that from time-to-time a student or member of staff may wish to express concern about, or report in an informal way, behaviour or incidents which might not otherwise warrant full investigation.

Examples of this (but not an exhaustive list) might include:

- antisocial behaviour under the influence of alcohol;
- the use of inappropriate language;
- unsolicited physical contact; and
- minor disruption in learning, teaching and performance contexts.

3.3.2 The Collective Acting Studio acknowledges that what one person might regard as an isolated incident may, with reference to other reports, be regarded as more serious. It is therefore important that students and staff feel comfortable in expressing these concerns.

3.4 Formal reporting of allegations of misconduct



Discipline Policy and Code of Conduct

3.4.1 You can bring allegations of misconduct against a student either in person to any member of the teaching staff. The information will be passed to the CEO/Course Leader who is responsible for overseeing the handling of the allegations.

3.4.2 Allegations of misconduct should be made promptly in writing and include the following information:

- the identity of the person(s) against whom the allegations are made
- the nature of the misconduct
- the time and location
- possible witnesses and
- details of any action already taken.

3.4.3 The Collective Acting Studio is aware that there may be a number of barriers to reporting incidents. Therefore, you have the option to submit an anonymous or third-party report. However, you are reminded that in submitting an anonymous report there is likely to be insufficient information for the college to take any action other than to collect data for monitoring purposes.

3.4.7 You are encouraged to raise concerns without fear of recrimination, confident that The Collective Acting Studio takes allegations of misconduct seriously. However, a complaint should never be made on a malicious or vexatious basis, and a complaint should never be used as a threat

3.4.8 Support for Students Accused of Misconduct

The Collective Acting Studio recognizes that being accused of misconduct can be a stressful experience. Students who are the subject of disciplinary proceedings will be offered appropriate support, which may include:

- a) Access to counseling services
- b) Academic support and accommodations if needed
- c) A designated staff member to explain the disciplinary process and answer questions
- d) Information on their rights and the opportunity to respond to allegations
- e) Referrals to external support services if appropriate

The college will ensure that support provided to accused students does not compromise the integrity of the disciplinary process or the rights of the reporting party.

3.5 Risk Management and precautionary measures

3.5.1 In all cases, where there exists an allegation of bullying, harassment, improper or violent behaviour towards you, and regardless of your wishes regarding the way ahead, The Collective Acting Studio will need to consider the need for precautionary measures where such measures are deemed necessary to safeguard you and/or as part of effective risk management. In reaching a decision about precautionary measures account will be taken of



Discipline Policy and Code of Conduct

the perceived risk of harm posed to you and to the alleged perpetrator or the wider student community

In reaching a decision about precautionary measures account will be taken of:

- the nature of the alleged misconduct
- the circumstances of the incident
- the circumstances of those involved
- the views of the CPS/police
- the support needs of all parties
- the potential for the victim and alleged perpetrator to come into contact with each other
- the need to ensure that a full and proper investigation can be carried out without impediment (either by the police or college)
- the need to protect the reporting student, the alleged perpetrator or potential witnesses while the allegation is being dealt with as part of a criminal or disciplinary process
- the college's duty of care and the interests and welfare of all parties involved
- how best to mitigate perceived risk while having the minimum possible negative impact on the accused/alleged victim and others who may be affected or involved
- the need to treat all parties as fairly and as equally as possible
- the practicality and wider implications of imposing any measures in individual cases
- reasonableness and proportionality
- visa considerations and professional practice matters will also be considered

3.5.2 Precautionary measures will be implemented without prejudice for the accused student or alleged victim or other parties as appropriate. Such measures will not be considered as an indication of guilt.

Measures may include:

- restricting contact between the accused student, alleged victim or potential witnesses
- requiring any party involved to move to alternative accommodation
- prohibiting the accused student, alleged victim or other relevant parties from accessing certain areas or facilities of the college
- re-arranging tutorial/seminar / rehearsal groups
- temporarily suspending the accused student from his/her studies pending the outcome of any police/disciplinary investigation.

The above list is not exhaustive.

See also sections 4 Suspension for the purposes of investigation and 5 Misconduct which is also a Criminal Offence.



Discipline Policy and Code of Conduct

3.6 Investigations into cases of misconduct

3.6.1 If allegation(s) of misconduct is raised against you, you will be informed immediately, by email attachment, of the nature and seriousness of the allegations made, that they are the subject of an investigation, and the identity of the investigating officer who will look into the case against you. The CEO/Course Leader will consider the nature and seriousness of the allegations based on the information available and decide whether there appears to be a case to instigate formal disciplinary proceedings or whether the matter should be handled informally.

3.6.2 In each case which is to be the subject of formal disciplinary proceedings an Investigating Officer will be appointed, who will normally be a senior member of staff. The CEO/Course Leader will consider the nature of the allegation, its perceived seriousness, and the range of potential outcomes. In cases of substantial and serious alleged misconduct, including misconduct which may be a criminal offence, consideration will be given to appointing an Investigating Officer who is external to the Collective Acting Studio but who is nevertheless suitably qualified and trained. However, in these circumstances, the case will be investigated as a potential breach of regulations and not as a criminal offence.

3.6.3 Where there is no case to answer, you will be informed in writing.

3.6.4 Where there is minor misconduct and the case is undisputed, the matter can be dealt with in a meeting with an appropriate member of staff. You will have the right to be accompanied to this meeting by a member of the Collective Acting Studio community.. Following the meeting the CEO/Course Leader will determine the level of sanction or decide whether the matter could be resolved in other ways (e.g. counselling/advice/ and/ or informal warning). You will be informed in writing of the outcome and provided with the right of appeal.

3.6.5 You will normally be required to submit any statement you wish to make in response to the allegation(s), a copy of any documentation you wish to rely upon and a list of any witnesses you wish to call to give evidence at least 48 hours before the meeting is to take place. The Committee may disregard any mitigation that is not accompanied by supporting evidence and/or any information or evidence which is not provided to it within the prescribed time period (normally at least 48 hours before the meeting). It is your responsibility to ensure that any witness you wish to call attends the meeting.

3.6.6 You must inform The Collective Acting Studio at least 48 hours in advance of the original hearing if you require a revised date. A revised date of a hearing will be rearranged once only. Should you choose not to attend the hearing, the meeting will take place in your absence; in such circumstances, you are strongly advised to provide a written submission for consideration.

4 Suspension for the purposes of investigation

4.1 Where an allegation is of sufficient seriousness, the CEO/Course Leader may approve that you are suspended from the college pending the outcome of the investigation. Such suspension should only be instituted in exceptional circumstances where it is deemed necessary to protect members of the college.



Discipline Policy and Code of Conduct

4.2 Suspension shall normally be interpreted as exclusion from all college campuses and services. However, you may visit the campus to access any support required in relation to the case and to attend meetings as arranged.

4.3 You may make representations about such suspension (including verbal representations) to the Principal or their nominee, for which purpose you may be accompanied by a chosen representative. If no disciplinary action is subsequently taken the college will ensure so far as possible that you have not been disadvantaged by the suspension.

5 Misconduct which is also a Criminal Offence

5.1 The Collective Acting Studio expects that students will report an allegation of a criminal offence to the police; however, in some circumstances the allegation will be made by the college on behalf of the Reporting Party. In exceptional circumstances, the college will seek the advice of, or report an alleged crime to the police contrary to the wishes of the student or other reporting party if disclosure of the information is necessary to protect the student, or others, from harm or prevent a further crime taking place. In these circumstances, the student or other reporting party has no obligation themselves to speak to the police or otherwise pursue a police investigation.

5.2 In deciding whether to make such a disclosure and in deciding what information to disclose, the college will undertake a Risk Assessment (see Section 3.5). The college will take into account its obligations under the General Data Protection Regulations/Data Protection Act and any potential harm that the unauthorised disclosure may cause to the Reporting Party. If the Reporting Party decides not to involve the police, they will still have the option of requesting that The Collective Acting Studio considers the matter under the Student Conduct Procedure.

5.3 Conduct which may constitute a criminal offence may also amount to misconduct which, in addition to any criminal process, may therefore fall to be dealt with under this policy, if that conduct:

- took place on college and/or University premises; and/or
- affected other members of the college and/or University; and/or
- damaged or was likely to damage the reputation of the college and/or University.

5.4 The following procedures apply where the alleged misconduct would also constitute an offence under the criminal law if proved in a court of law:

a) Where the offence under the criminal law is considered by the college to be not serious, action under these regulations may continue but such action may be deferred pending any police investigation or prosecution.

b) Where a finding of misconduct is made and the student has also been sentenced by a criminal court in respect of the same facts, the court's penalty shall be taken into consideration in determining any penalty under these regulations.



Discipline Policy and Code of Conduct

5.5 The Collective Acting Studio may however invoke precautionary measures, which are neither a penalty nor a sanction and do not indicate that the college has concluded that the accused student has committed a breach of discipline or criminal offence. Such measures may include suspension, or imposing conditions on the accused student.

6 Disciplinary Committee - Membership and Functions

Where the Investigating Officer concludes that the case is a case to answer and the incident is either minor and contested or is a serious one and that, if proven, will lead to substantial sanctions, the report and evidence will be referred to a Disciplinary Committee to determine an outcome.

6.1 The membership of the Disciplinary Committee shall be constituted as follows:

- One member of the college's Senior Management
- A member of the Student Union or a Class President
- Student Welfare Officer

6.2 The functions of the Disciplinary Committee are as follows:

- a) To consider reports from investigating officers in respect of allegations of misconduct by students.
- b) To consider appeals against verbal or written formal warnings, fines or compensation.
- c) To establish, as far as possible, the facts of the case, including the ability to call witnesses.
- d) To consider appropriate action as follows:
 - i. to issue a warning at any level
 - ii. to approve a period of suspension on disciplinary grounds;
 - iii. to approve expulsion of a student;
 - iv. to impose other restrictions where it is deemed appropriate
 - v. to take any action available in the penalty list;
 - vi. to confirm that action taken so far is sufficient and appropriate;
 - vii. to agree that the offence has not been established and there is no case to answer. Under these circumstances the college will ensure so far as possible that the student has not been disadvantaged by any disciplinary action or suspension.
- e) To report its decision to the Board of Directors.

6.3 The Committee will aim to reach a decision based on the information provided and write to you within five working days of the hearing and provide you with notice of your



Discipline Policy and Code of Conduct

right to appeal the decision. Should the Committee require further information in order to reach a decision you will be informed of any delays.

7 Penalties

Where allegations of misconduct are proven (including by admission by you) to the following penalties may be imposed:

7.1 Formal warnings. There are three categories of formal warnings which may be issued depending on the seriousness of the misconduct.

a) Verbal formal warning – this may be issued by the CEO/Course Leader or by another senior member of staff (where allegations are undisputed). You have the right for these to be given in the presence of a Students' Union.

b) Written formal warning – this may be issued by the CEO/Course Leader or by another senior member of staff (where allegations are undisputed) or by a Disciplinary Committee

c) Final written warning – this may be issued by the CEO/Course Leader or by another senior member of staff or by a Disciplinary Committee.

Verbal and Written formal warnings will remain on record for a specified period, normally one year. Any repeated occurrence of a similar offence may result in a recommendation to the Principal, or their nominee, that you be referred to a Disciplinary Committee. Following the issuing of a final written warning to a student, any further cases of misconduct will be dealt with directly by a Disciplinary Committee with the anticipation of expulsion should the case be proven.

8 Your rights of appeal

8.1 You have the right of appeal against any penalty which has been imposed.

8.2 To appeal you must demonstrate one of the following criteria:

i. That new evidence or extenuating circumstances have become known which you could not have reasonably made known at the time of the original hearing; and/or

ii. That the original hearing was not conducted fairly and/or in accordance with the published regulations. The grounds under which appeals against suspension or expulsion may be made are as above and, in addition:

iii. That the original penalty imposed was excessive under the circumstances.

8.3 Notice of appeal shall be made in writing to the CEO/Course Leader or by another senior member of staff and shall be received not later than 10 working days after the formal notification of the Disciplinary Committee's decision.



Discipline Policy and Code of Conduct

8.4 Members of the Disciplinary Committee that provided the penalty or any member of the college's senior management who has been concerned in the issuing of a warning shall not normally take part in the Disciplinary Committee that hears your appeal.

8.5 You can make representations about your case (including verbal representations for which purpose you may be accompanied by a chosen representative) to the Panel/ or Committee considering the appeal.

8.6 The decision of the Panel or Committee considering the appeal shall be final, and you shall be notified within a period of 5 working days following the meeting by e-mail and/or first-class post to your the last known address. Such despatch shall be deemed to be sufficient and complete discharge of the duty to inform you.

8.7 If the appeal is successful, the college will ensure as far as possible that the you have not been disadvantaged by any disciplinary action or suspension.

9 Office of the Independent Adjudicator

If your appeal against a disciplinary outcome is unsuccessful you may, following issue of a Completion of Procedures letter, lodge a complaint with the Office of the Independent Adjudicator (OIA). Details of the OIA and the relevant information in relation to the Scheme can be accessed at www.oiahe.org.uk.