

Disciplinary Policy and Procedure

This Policy will normally be applied in respect of alleged misconduct which occurs while the student is on **ONCAMPUS** premises, the university campus or accommodation, or engaged in any **ONCAMPUS** activity. For issues that occur on the wider university campus or in university accommodation, the university's policies may take precedence. Therefore students are advised to familiarise themselves with the University's disciplinary policies.

ONCAMPUS reserves the right to take disciplinary action against any student in respect of any misconduct, wherever it may have taken place, if that misconduct:

- damages the good name of **ONCAMPUS**;
- raises questions about a student's suitability for a particular course or whether a student should remain a member of **ONCAMPUS** because s/he poses a danger or disruption;
- is considered a criminal offence.

Definition of Misconduct

Students are expected to behave respectfully towards **ONCAMPUS** and university staff, students and property at all times, whether on campus or elsewhere. Examples of misconduct may include:

Property/damage

- Action likely to cause injury or affect safety on **ONCAMPUS** premises including tampering with firesafety equipment and alcohol/drug misuse;
- Behaving in a manner that causes others to believe that danger, disruption or damage to property is likely;
- Non-accidental damage to, defacement, misuse or theft of **ONCAMPUS** property or the property of other members of **ONCAMPUS**;
- Misuse or unauthorised use of the premises or items of property, including computers;
- Entering areas of the campus that are not open for academic and student activity, unless invited to do so by a member of staff;

People, harassment, bullying

- Harassment of any student, member of staff, any third party or visitors to **ONCAMPUS**;
- Violent, indecent, disorderly, aggressive, threatening or offensive behaviour or language, including on social networking sites;
- Distributing or publishing material of any nature which is threatening, abusive, insulting, obscene, offensive or constitutes harassment, is illegal or makes others fear violence;
- Making defamatory and/or false claims about other students or staff which are not substantiated and where there is reason to believe they are malicious;
- Deliberate disclosure of confidential information to unauthorised people; failure to adhere to intellectual property rights and/or breach of copyright;

Fraud, deception

- Assessment/examination offences, including but not limited to, theft, falsification, impersonation, bribery, submission of work purchased from commercial sources, advertising services which promote academic dishonesty. **For all academic related offences, the ONCAMPUS Academic Offences Policy has jurisdiction, and is only reported here as a signpost to that policy. ONCAMPUS policies are in line**

with the QQI NAIN initiative - <https://www.qqi.ie/what-we-do/engagement-insights-and-knowledge-sharing/national-academic-integrity-network>.

- Fraud, deceit, deception, misrepresentation, bribery, falsification of records or dishonesty in relation to **ONCAMPUS**, the university, its staff or students;

Legal, regulatory

- In the case of International Students, breach of the terms of any visa or failure to comply with the requirements of the UK immigration authorities (UKVI);
- Breach of any attendance requirements (see also Attendance Policy); • Criminal offences that:
 - a) occur on **ONCAMPUS** or partner premises;
 - b) affect any student, member of staff or agent, of the University;
 - c) damage or may damage the good name of the University;
 - d) raise questions about a student's suitability for a particular course or whether a student should remain a member of the **ONCAMPUS** /University community because s/he poses a disruption or danger to others

Note: Carrying weapons is a criminal offence and reportable to the police.

- Failure to declare a relevant criminal conviction incurred while enrolled as a student;

General

- Behaviour which brings or may bring the **ONCAMPUS** into disrepute, irrespective of where the behaviour took place;
- Failure to comply with the reasonable instruction of any member of **ONCAMPUS** staff in the course of his/her duties, including failure to disclose personal identification details;
- Activity which is intended to or has the effect of inciting or enticing, or aiding or abetting another student in the breach of any **ONCAMPUS** rules.

Criminal Offences

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

- Where the alleged offence under the criminal law is considered to be not serious, action under this Policy may continue but such action may be deferred pending any police investigation or prosecution.
- In the case of all other alleged offences under the criminal law, no action (other than suspension) will normally be taken under this Policy until the matter has been reported to the police and either prosecuted or a decision not to prosecute has been taken, at which time the Centre Head/Director may decide whether disciplinary action should be taken.
- **ONCAMPUS** has the right to report any criminal matter to the police and there are certain alleged crimes that we may be duty bound to report. However, if a person claims to be the victim of a serious offence committed by a student, but does not wish the police to be involved, the Centre Head/Director may agree not to report the matter to the police. In such circumstances **ONCAMPUS** will not normally proceed with internal disciplinary measures for the serious offence, although it may take disciplinary action over other related offences.
- Where a student has been found guilty of a criminal offence, the penalty shall be taken into consideration in determining the sanction under this Policy.
- **ONCAMPUS** retains the right to pursue action under the disciplinary procedures in cases of criminal behaviour that are not progressed by the police.
- There may be occasions when a Centre Head/Director is required to involve the police for the safety and security of the students on campus.

Disciplinary Procedure

Any member of **ONCAMPUS** or University partner staff may advise or give an informal verbal warning to a student about his/her behaviour and may, in urgent situations where it is necessary to protect the safety of others, take action to partially exclude the student pending formal investigation. In these circumstances, the Centre Head/Director must be informed immediately of the action taken.

Allegations of misconduct under this Policy should be submitted in writing to the Centre Head/Director. Further enquiries may need to be carried out. The Centre Head/Director shall, with regard to the seriousness of the incident, deal with the matter within the following framework to support students through the Disciplinary Procedure:

1. **Informal Verbal Warning**
2. **Informal Written Warning**
3. **Formal Written Warning**
4. **Withdrawal Notice**

1. Informal Verbal Warning

Incidents such as classroom disruption may be dealt with by the member of staff responsible for the session at the time that the disruption occurs. Tutors may give an informal verbal warning to a student about his/her conduct or remove the student(s) from the classroom for the rest of the session. In cases of serious or repeated misconduct in the classroom, tutors may refer the matter to the Deputy Centre Head (or nominee such as Programme Head) who may take the issue to the next level.

Disruption outside of the classroom may be dealt with by any member of **ONCAMPUS** staff (or university staff) at the time and reported to the appropriate person (e.g. Personal Tutor).

Details of the verbal warning may be placed on the student's records. If the alleged offence, if proven, is likely to incur a penalty or penalties more severe than a written warning, the matter will be referred to the Centre Head/Director.

2. Informal Written Warning

Where it is found that there has been a case of misconduct, but that the misconduct is minor or there are other mitigating factors, **ONCAMPUS** may arrange for the student to attend an informal meeting, with an appropriate member of staff. The outcome of the meeting will be recorded in a warning letter, and the student may be required to sign an agreement of future good behaviour or to agree an Action Plan. It will be made clear that failure to stick to the agreement may lead to formal action. The letter and the agreement will be placed on the student's records and may be copied to the student's representative or agent for information and support. However it may only be referred to if there are further concerns about the student's behaviour. Action plans will be reviewed at regular points, in discussion with the student.

3. Formal Final Written Warning (and threat of Withdrawal)

Where the alleged offence, if proven, is likely to incur a penalty or penalties up to and including a final written warning the matter will normally be referred to the Centre Head/Director, who will conduct a disciplinary interview with the student at which s/he will determine whether the allegation is proved, and, if so, what penalty should be imposed. This may include a threat of withdrawal from the programme and centre, and notification to the student's representative or agent for support.

4. Withdrawal Notice

In cases where the student's conduct is proven to be in breach of the behaviours outlined in the **ONCAMPUS** Disciplinary Policy and all efforts to engage the student in changing their behaviour have

failed, the Centre Head/Director has the right to withdraw the student from the centre and notify the relevant authorities, including the University Partner, the student's agent/representative, parents and, if relevant, the UK immigration authorities. **ONCAMPUS** reserves the right not to refund fees or deposits to students who have been withdrawn in Disciplinary cases.

Appeals

Should the student wish to appeal against any of the decisions made, at any level of the disciplinary procedure, they may use the **ONCAMPUS Complaints Policy and Procedure** which offers a range of levels to address the student's concerns, according to the nature of the complaint.