



HARTPURY

OPERATING PROCEDURE NO 7.05 Non-Academic Student Behaviour Management

Purpose

To ensure that the Code of Conduct (including the Residential Rules, Regulations and Accommodation Licence as appropriate) to which students are expected to adhere to is enforced in a fair, formal and structured manner.

Scope

1. This procedure applies to all students of the University and College, whether full-time, part-time, whether or not their programme is validated by, or associated with any other institution, and at all times during the year, whether or not during University/College terms, University/College working hours or on University/College premises.
2. This procedure does not apply to matters relating primarily to academic performance which are subject to a separate procedure. Academic Behaviour Management is covered by procedure 7.06 for College students.

Responsibilities

1. The Vice-Chancellor, Principal & CEO is responsible for the operation of this procedure.
2. The Vice Principal - Resources or their nominee has a formal role in the operation of this procedure.
3. Other members of University and College staff may be required to investigate and report on incidents to the Vice Principal - Resources or their nominee.

Method

1. Cases of misconduct not deemed to be serious misconduct will be dealt with by University and College Wardens, the Head Warden or Residential Safeguarding Manager or their nominee in accordance with the non-academic grid of behaviour management offences and sanctions communicated to all students and contained within the Residential Handbook.

Serious cases of misconduct will be treated by the University and College as gross misconduct. Examples of gross misconduct include but are not restricted to: any act which jeopardizes the security of the University and College or its staff or students, drug misuse including legal highs which includes possession, supply/cultivation or being involved with these activities on campus or in any external activity/trip/visit under the jurisdiction of the University and College, theft, physical assault/violence, deliberate damage to property belonging to the University and College, its staff, visitors or students, possession of firearms or similar offensive weapons, serious breach

of health and safety including visiting pubs/clubs off site and breaching the fob security system (under 18 students), possession and use of alcohol (under 18), dangerous driving, deliberate bullying including cyber bullying and discriminatory behaviour and inappropriate use of social media bringing the University and College into dispute.

2. Instances of alleged gross misconduct should be brought to the attention of the Vice Principal - Resources or their nominee or any other member of the University and College Executive if the Vice Principal - Resources is not available. It is important that the Vice-Chancellor, Principal & CEO is not involved in the process at this time. Behaviour management sanctions awarded are treated on a cumulative basis and as a result the Vice Principal - Resources may initiate behaviour management action at a C3 level due to a student's previous behaviour management record or if the alleged breach is a C3 level offence in accordance with the non-academic grid of behaviour management offences and sanctions.
3. The Vice Principal - Resources or their nominee will investigate the alleged misconduct and may as a result initiate behaviour management action against the student(s) involved.
4. The Vice Principal - Resources or their nominee may suspend a student pending the outcome of formal hearing with a Non-Academic Behaviour Management Panel. During suspension, the student, whether residential or non-residential, may be excluded from all or specific University and College premises if it is felt to be in the best interests of the investigation. Parents/Guardians of any student aged under 18 years of age at the time of suspension will also be advised by telephone of the suspension and this will be communicated in writing to the parent/guardian and the affected student. Parents/Guardians of any student aged 18 or over at the time of the suspension will be informed only with the student's prior consent, as recorded in the minutes of the suspension meeting. Where a student aged under 18 years of age has to return to the family home, this will be discussed and agreed with the parent/guardian prior to leaving campus.
5. Any resulting action from the Non-Academic Behaviour Management hearing will be reported to the Head of Department and Course/Programme Tutor within one working day of the hearing taking place. The Residential Safeguarding Manager, Residential Services Manager and the Duty Warden team, if the student is residential, will be informed as soon as possible after the hearing.
6. The Pro Vice-Chancellor and Vice Principal (Further Education) or their nominees will offer the suspended student reasonable academic support during this period of the suspension. This support will usually be restricted to assignment work supported by virtual learning environment, Moodle and virtual/telephone tutorials.

Behaviour management hearing

1. The student will be notified of the date to attend a Non-Academic Behaviour Management hearing within 14 days of the decision to commence behaviour management action. The Non-Academic Behaviour Management Panel will be chaired by a member of the Senior Management Team (but not the Vice-Chancellor, Principal & CEO) and consist of two other senior members of staff. The letter convening the hearing will indicate the nature of the alleged breach, or breaches of discipline. The letter will also advise the student of his or her right to be accompanied at the Non-Academic Behaviour Management hearing by an advocate, friend or relative.

2. The Non-Academic Behaviour Management Panel may adjourn matters, reinstate, exclude for a fixed period, permanently exclude the student or administer a formal warning as to the consequences of any further breach of University and College discipline. The Non-Academic Behaviour Management Panel will confirm the decision in writing. The Non-Academic Behaviour Management Panel may exclude a residential student from University and College accommodation for a fixed or permanent period as part of the range of sanctions available.
3. All staff must be aware of the nature of this procedure and the need to keep accurate detailed notes on any interview or incident which might lead to a student being charged with gross misconduct.

Appeals

1. The student may appeal against the decision of the Non-Academic Behaviour Management Panel only if the outcome is permanent exclusion from Hartpury. There is no right of appeal for any other sanction given. Any appeal must be made in writing the PA to the Vice-Chancellor, Principal & CEO within seven days of the decision being communicated to the student formally in writing. The letter of appeal must give the grounds of appeal. Appeals will normally be considered on the basis of procedural irregularity, excessive nature of sanction or new evidence.
2. The appeal will be responded to by the Vice-Chancellor, Principal & CEO normal practice is for a written response to the appellant. The Vice-Chancellor, Principal & CEO can if deemed necessary, involve two senior managers not already involved in the case to respond to the appeal with him. Where the Vice-Chancellor, Principal & CEO has been previously involved in the individual student's behaviour management process or is not available then the appeal will be responded to by members of the Senior Management Team not already involved in the case. At the discretion of the Vice-Chancellor, Principal & CEO, an Appeals Panel may be convened to hear the appeal to which the student will be invited; this will be instead of a written response to the appeal. In this case, the student has a right to be accompanied at the appeal hearing by an advocate, friend or relative but not by a legal or professional adviser unless the University and College otherwise agrees, having been given notice before the day of the hearing. A legal or other professional adviser will be allowed if the University and College intends to have an external adviser present.
3. The Appeal will be responded to within 21 working days of receipt of the Notice of Appeal.
4. The Vice-Chancellor, Principal & CEO will consider any written evidence and submissions which have been circulated as part of his response.
5. The decision of the Vice-Chancellor, Principal & CEO will be confirmed in writing and will be final and binding on both parties.
6. Where an appeal against a panel decision is lodged, this removes the right to lodge a Formal Complaint if the complaint relates to the behaviour management matter.

Finance:

A student who has been suspended or excluded will still be liable for any debt owed to the University and College.

Service of Documents:

All documents will be delivered by email as standard practice. In the event that hard copies are requested as an alternative, these will be sent to the registered address on our Student Record System. A document which is sent by First Class post will be considered to be served on the second day after it has been posted.

REFERENCE

1. Academic Student Behaviour Management Procedure (7.06)
2. Drug Related Incidents Procedure (7.07)
3. Search & Confiscation Operating Procedure (7.20)
4. University and College Rules and Regulations including the Residential Regulations and Procedures/Accommodation Licence
5. Student Social Media Policy
6. Residential Handbook
7. Non-academic grid of behaviour management sanctions
8. Joining Instructions in the Enrolment Pack

Equality, Diversity and Inclusion

As with all Hartpury policies and procedures, due care has been taken to ensure that this policy is appropriate to all members of staff and students regardless of their age, disability, ethnicity, gender, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sexual orientation and transgender status.

The policy will be applied fairly and consistently whilst upholding Hartpury's commitment to providing equality to all.

Hartpury is committed towards promoting positive mental health and aims to create a culture of support where staff and students can talk about mental health problems without the fear of stigma or discrimination.

Approval and Review Cycle

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