



UHI Moray, University of the Highlands and Islands

Student Disciplinary Procedure

1. Introduction

- 1.1. This procedure supports the Student Conduct Policy and the Student Code of Conduct.
- 1.2. This procedure is designed to give students and staff a clear framework to fairly and promptly address any situations which may arise around student conduct and suspected breaches of the Student Code of Conduct.
- 1.3. The Student Disciplinary Procedure is part of a suite of documents, including:
 - Academic Misconduct Policy
 - Fitness to practise guidelines (course-specific)
 - Gender Based Violence Policy
 - Mental Health Strategy
 - Mitigating Circumstances Procedure
 - Support to Study Procedure
 - Student Code of Conduct
 - Student Conduct Policy
 - Student Criminal Offence Data Disclosure Policy
 - Student Mental Health and Counselling Policy
 - Suicide Intervention and Risk Management Policy and Guidance
 - Safeguarding Policy
 - University of the Highlands and Islands Academic Standards and Quality Regulations
 - University of the Highlands and Islands Academic Misconduct Guidance

2. Scope

- 2.1. This procedure applies to all students regardless of level enrolled on a programme of study at UHI Moray or who are enrolled at another academic partner but are studying at UHI Moray.
- 2.2. This procedure applies to suspected breaches of the Student Code of Conduct in physical and virtual environments, including social media and messaging services e.g. MS Teams, Whats App, SnapChat, Discord.
- 2.3. The procedure applies to suspected breaches of the Student Code of Conduct on campus and off campus.
- 2.4. Both staff and students can report suspected breaches of the Student Code of Conduct.
- 2.5. It is expected that academic and Student Services staff will work collaboratively to instigate and manage the use of these disciplinary procedures, with responsibilities shared according to professional roles and expertise.
- 2.6. For students who are also school pupils, including exceptional entrants and home educated learners, refer to Section 13.
- 2.7. For apprentices, please see section 14.

3. Principles

- 3.1. The Student Disciplinary Procedure seeks to act without bias and to provide all parties with the right to a fair hearing. UHI and its academic partners recognise that raising a concern or being the subject of an investigation can be a stressful experience. Students have the right to access support throughout the process. This includes academic and wellbeing support from UHI Moray, as well as free, confidential, and independent advice from Highlands and Islands Students' Association (HISA) Advice Service, who can assist with understanding the procedure, preparing for meetings, and accessing further help, where needed.
- 3.2. This procedure applies to all students and explains how we deal with concerns about student behaviour that may go against our rules or policies. It is important to understand that this is not a criminal process. We use a different approach called the balance of probabilities. This means we decide what most likely happened based on the evidence available and the idea of being 'innocent until proven guilty', which applies in court cases, doesn't apply in this process.
- 3.3. As per section 3.4 of the Student Conduct Policy, any breach of the Student Code of Conduct which may also constitute a criminal offence will be reported to the police and may lead to separate criminal proceedings. UHI Moray will aim to discuss the situation with the student raising a concern prior to any police referral being made. However, due to our duty of care UHI Moray has an obligation to refer to the police in some circumstances regardless of whether the student(s) involved can be made aware of the action or support it.
- 3.4. As a general principle, UHI and partners will seek to disclose only relevant information as part of the Student Disciplinary Procedure. When a student makes a complaint about another student, the information they give may be used in a disciplinary process. It's important that both students are treated fairly, have a chance to explain their side, and can respond to what the other person says.

- 3.5. If a student raising a concern does not consent to the information they provide being used in a disciplinary investigation, they must inform staff. In some cases, such as those involving gender-based violence, students can request anonymity, and investigations may still proceed on that basis. However, in other cases, anonymity may make it more difficult to take the matter forward. Students are encouraged to seek support from HISA Advice Service before making a decision, to fully understand the implications and receive impartial, confidential guidance.
- 3.6. Before meeting with a student, staff should ascertain if the student has a Personal Learning Support Plan (PLSP) that means they may need extra support during the meeting. This support should be arranged prior to any discussion. Staff should be aware of the impact the student's PLSP may have on their experience of the disciplinary procedure. This also applies to any witnesses that may be interviewed. Where appropriate, staff are encouraged to consult with Student Support Services and/or the HISA Advice Service early in the process to ensure the student is fully informed of their rights and can access appropriate support.
- 3.7. The procedure has an accompanying privacy notice which should be considered by staff and students.

4. Exceptions

- 4.1. There are separate procedures for academic misconduct.
- 4.2. In situations where a student's conduct may be linked to a health conditions, such as a mental health issue or a condition affecting understanding and/or judgement identified in a Personal Learning Support Plan (PLSP), additional support measures may be considered. This could include using the Support to Study Procedure or relevant Fitness to Practice procedures alongside, or instead of, the disciplinary process. However, depending on the nature and seriousness of the case, the academic partner may need to proceed with the Student Disciplinary Procedure, regardless of the individual's condition or other circumstances. Decisions will be made with care and discretion, ensuring that appropriate support is in place throughout.
- 4.3. This procedure is distinct from UHI Moray Complaints Handling Procedure. Breaches of the Student Code of Conduct cannot be investigated by the Complaints Handling Procedure. For further details on what constitutes a complaint please visit the [Complaints webpage](#).
- 4.4. Police investigations
As per section 3.5 of the Student Conduct Policy, UHI Moray will be unable to investigate any incidents whilst an official police investigation is underway, however, precautionary actions may be taken to reduce risk, ensure the safety of others and protect the integrity of the police investigation and a potential future UHI AP investigation. UHI Moray will consult with the police during this period, and appropriate support will be provided to any students and staff involved.

5. Definitions

- 5.1. **Precautionary Action:** In the event of an allegation of misconduct, a student may be temporarily suspended from UHI Moray e.g. removal of access to a course of study and/or specific building, until the investigation is completed if there is risk of harm to themselves, other students or staff. During this time, they will be able to continue to study remotely, where it is possible to do so, and will continue to receive student support funds. Precautionary action is not a disciplinary sanction and does not imply that misconduct has occurred. Its sole purpose is to protect the interests of all parties and to support a fair and safe investigation.

Precautionary action may include temporary measures such as restricting access to specific courses, buildings, or university and academic partner facilities while a matter is under investigation. These actions are not disciplinary outcomes but are taken to manage risk. Permanent exclusion from UHI Moray is a possible outcome of the disciplinary process, not a precautionary measure.

Where HoC decides precautionary action is to be used, the Head of Student Services should inform the student they are being suspended to allow an investigation to occur. It is encouraged this is done by letter however, in a crisis, this can, in the first instance, be done verbally and followed by a letter.

- 5.2. **Suspension from Campus:** The removal of the student's access to all sites constituting UHI Moray campus for a specified period of time in response to a disciplinary incident. In some circumstances this suspension may extend to all university and academic partner campuses, and university/AP owned accommodation. The student may continue to study remotely, where it is possible to do so, throughout this period, but should not access public spaces or any buildings associated with UHI Moray.

Students have the right to seek advice and representation during this process, including from the HISA Advice Service, who can support students in understanding their rights in requesting a review or clarification of precautionary measures.

- 5.3. **Exclusion from Studies:** The removal from the student's course of study in response to a disciplinary incident, resulting in the loss of registered student status and loss of access to all facilities, including university owned accommodation and should not access public spaces or any buildings associated with UHI Moray.

In some circumstances this exclusion may apply to the university and all academic partners for a period of time deemed appropriate by the disciplinary procedure. In some cases, this may result in any future applications from the student being rejected.

- 5.4. **Suspension of Studies:** A suspension of studies is not a disciplinary measure. When a student chooses to take a period of time out from their studies because of a change in their personal circumstances, with the intention to return at a later date. The option of suspension of studies is dependent on what the student's course allows. However, the disciplinary process will continue even if the student is not in attendance, as the outcome may still impact the student's future return, progression, or the safety and wellbeing of others.

6. Procedure

- 6.1 It is widely acknowledged that disruptive conduct is a barrier to learning and can negatively impact on the learning and wellbeing of the student themselves and/or other students and staff. This procedure should be implemented promptly as early intervention and support offered, as this can result in better outcomes for the student and may avoid the situation from escalating further.
- 6.2 All staff have a responsibility to promote a positive learning environment and challenge conduct contrary to the Student Code of Conduct. Staff should ensure that, when intervening in any situation, they consider their own safety as well as the safety of other staff and students.
- 6.3 Students can report suspected breaches of the Student Code of Conduct to any member of staff. Should the report be of a personal or sensitive nature, students can discuss the issue with a member of staff they trust or speak to a representative from the Highlands and Islands Student Association (HISA) to find out more about the type of support they can offer.
- 6.4 The member of staff should respond to any disclosures of the Student Code of Conduct within **5 working days** (unless in a crisis which requires an immediate response) and formally acknowledge, by email, to the student that it is being actioned. Staff can liaise with Head of Student Support Services if they are unsure which process should be followed.
- 6.5 At any stage during the disciplinary procedure, if a student is found not to be responsible for suspected misconduct the investigation will be closed and no further action taken. Any record of allegations will be removed from the student's record.

6.6 Supporting the interview and Investigation Process

- 6.6.1 Where a potential breach of the Student Code of Conduct is believed to have occurred, staff should undertake an interview process. **See Supporting the Interview and Investigation Process in Appendix 1.**
- 6.6.2 Before meeting with a student(s), staff should ascertain if the student has a Personal Learning Support Plan (PLSP) that means they may need extra support during the meeting. Please refer to Principles section 3.6 for further information.
- 6.6.3 Where possible, the student should be provided with notice of any meeting at least **48 hours** in advance using the relevant template in the Disciplinary Support Pack
- 6.6.4 The student should be advised that a disciplinary process is being instigated and be provided with a copy of the Student Disciplinary Policy, Procedure and Student Code of Conduct prior to any informal discussion or formal interview taking place.
- 6.6.5 All students scheduled for a meeting including the student who is alleged to have breached the Student Code of Conduct, should be offered the opportunity to be accompanied by a supporter of their choosing (other than legal representative or another student involved in the incident). The student can approach HISA Student Advice Service to find out more about the type of support they offer.
- 6.6.6 The staff member investigating will identify all witnesses and individuals involved in the suspected misconduct and collect any relevant evidence. Where it is considered necessary to interview a witness or those involved, the staff member should meet with each of these

people individually. Discussions may be held with other staff and/or students to ascertain the situation and verify events. Where appropriate, staff may be required to liaise with external parties regarding a disciplinary case.

- 6.6.7 A suitable staff member should take brief notes of all the discussions along with gathering any evidence which may indicate whether the suspected misconduct has taken place. A copy of the notes should be given to the parties interviewed for confirmation of factual accuracy along with a request for acknowledgment. Should the student not respond within 3 working days the notes will be assumed accurate.
- 6.6.8 Once the investigation process is complete and the staff member investigating is satisfied that a breach of the Student Code of Conduct has taken place, a decision about which appropriate sanction, or escalation, should be made.
- 6.6.9 A suitable staff member should meet with the student(s) concerned to discuss the outcome and any expected changes to behaviour required, the sanctions being issued and their intended duration.
- 6.6.10 A suitable staff member will arrange for an official notification of the sanction(s), and any possible supplementary action plan, to be sent to the student. The outcome should be documented on the UHI student record or relevant system or within UHI Moray local system, as appropriate.
- 6.6.11 All investigations should be completed within a timeous period once the incident becomes known by staff to reduce any potential disruption and distress to those involved. It is recommended an investigation should not normally take more than **10 working days**, however, holidays and student/staff absence during this period should be accounted for sensitively. All parties will be communicated with regarding any delays and alternates will be appointed in a timely fashion, if absence is likely to prevent the investigation progression.

7. Informal Stage (Early Intervention)

- 7.1 All staff are encouraged to challenge behaviours which do not meet the expectations set out in the Student Code of Conduct. Taking a unified and consistent approach to managing low levels of disruption and unwanted behaviours both within the classroom and wider college environment can prevent more serious breaches from occurring.
- 7.2 The PAT or equivalent is encouraged to have an informal chat with the student(s) to discuss the concern(s) and to remind them of the expectations set out in the Student Code of Conduct.
- 7.3 The PAT or equivalent should invite the student(s) concerned to attend an informal discussion using 'Invitation to informal investigation' in Appendix 1. They should also follow the guidelines in section 6.6 and use Appendix 1: Supporting the Interview and Investigation Process. Records of these interventions will be stored with the Quality Officer.

7.4 Potential Outcomes and Sanctions

- 7.4.1 Once an informal discussion(s) has taken place, and any relevant evidence has been gathered and reviewed, the staff member should take one of the following actions:

- If there is not enough evidence or no misconduct, then no further action will be taken.
 - If there is evidence of misconduct, it may be deemed appropriate to create a Behaviour Action Plan (template within Appendix 1). Potential sanctions will be held on the UHI student record or relevant system or within UHI Moray local system, as appropriate for **3 months**.
 - Where there is an indication of more concerning behaviours or where more investigation is required, the matter may be escalated to the next stage of the disciplinary procedures. **See section 8**
- 7.5 A Behaviour Action Plan should be created with the student(s) which sets out the expectations they should meet. This should be monitored to ensure the student(s) are meeting the expectations set out in the Student Code of Conduct. Non-compliance with the Behaviour Action Plan may result in an escalation to the next stage of the disciplinary process.
- 7.6 The Behaviour Action Plan should be sent to the student(s) concerned to summarise the discussion held and to act as a reminder of the agreed changes to behaviour, shared with relevant staff and stored with the Quality Officer.
- 7.7 The student(s) must be notified that a record has been made of the discussion and that no further action will be taken unless misconduct continues or escalates. This note will be held on a student's record for **3 months** but may be extended for the remainder of the academic year, where appropriate. This will also be shared with the academic team.
- 7.8 Repeated low-level misconduct should be raised with the PAT. Should the misconduct continue or escalate, the formal disciplinary procedure will be considered. **See Section 8: Formal Disciplinary Stage 1**
- 7.9 The student has the right to make an appeal against the outcome under the specific circumstances outlined in Section 12.

8. Formal Disciplinary Stage 1

- 8.1 Where a more serious breach of the Student Code of Conduct is suspected, or where previous informal discussions or other sanctions have been ignored, the reporting member of staff should discuss the situation with the PAT/CTL with LDW/ILT as student support.
- 8.2 The PAT/CTL should notify the student(s) concerned of a request to attend a disciplinary interview to discuss any potential breach of the Student Code of Conduct. Please refer to sections 6.6 for guidance on Supporting the Interview and Investigation Process.
- 8.3 At this stage of the disciplinary process Template FS1a/b 'Invitation to a Disciplinary Investigation' in Appendix 1 should be used.
- 8.4 Where the student suspected of misconduct declines to attend an interview or does not attend an interview without a valid reason for absence, they should be advised that the investigation will carry on regardless and an outcome reached in their absence.

Potential Outcomes and Sanctions

- 8.4.1 Once all relevant information and evidence has been gathered and reviewed, the PAT/CTL will then consider the incident alongside the student's conduct to date generally and take one of the following actions:
- If there is not enough evidence or no misconduct, then no further action will be taken.
 - Provided the staff member investigating is satisfied that a breach of the Student Code of Conduct has taken place, the PAT/CTL can issue a **Verbal or Written Warning** to the student.
 - Should the evidence suggest that the misconduct is not serious enough to merit a Verbal or Written Warning, the PAT/CTL can use an **Informal** sanction instead, following the guidance in Section 7. Conversely, should the evidence suggest the misconduct is more serious than Stage 1, proceeding to Stage 2 should be considered, following the guidance in Section 9.
- 8.5 At the point of issuing the Verbal or Written Warning, the PAT/CTL should meet with the student and discuss their conduct, outlining the impact on others and emphasising the need to change. Strategies that will lead to improvements should be discussed and agreed with the student. The student should be informed that repeated misconduct may lead to a Stage 2 Formal Disciplinary Procedure (see Section 9).
- 8.6 The PAT/CTL will arrange, via Student Services for an official notification of the Verbal or Written Warning (Outcome Letter FS1 in Appendix 1) and any possible supplementary Behaviour Action Plan (template within Appendix 1) to be sent to the student. The warning should be documented on the UHI student record or relevant system or within UHI Moray local system, as appropriate and with the Quality Officer.
- 8.7 The Verbal or Written Warning will remain in place for **6 months**. Students who re-enrol on a UHI delivered course within 6 months should have the Written Warning retained on the UHI student record or relevant system or within UHI Moray local system, as appropriate.
- 8.8 If concerns about the student's conduct have passed, the Verbal or Written Warning will normally be expunged after 6 months, but if concerns remain around the student's conduct the Verbal or Written Warning can remain in place until the end of the academic year at the discretion of staff. The student must be notified of this extension and the reasons for it.
- 8.9 The PAT/CTL should provide feedback to the member of staff and/or student that initially reported the misconduct where relevant and appropriate.
- 8.10 The student has the right to make an appeal against the outcome under the specific circumstances outlined in Section 12.

9. Formal Disciplinary Stage 2

- 9.1 Where conduct which has previously received a Written Warning reoccurs, or where there is a serious breach of the Student Code of Conduct, the Stage 2 Formal Disciplinary Procedure will be initiated.
- 9.2 A CTL **from another curriculum area** should arrange via Student Services for the student(s) concerned to be notified of a request to attend a disciplinary interview to discuss any potential breach of the Student Code of Conduct. Please refer to section 6.6 for guidance on Supporting the Interview and Investigation Process.
- 9.3 At this stage of the disciplinary process Template 'Invitation to Attend a Formal Disciplinary Investigation Meeting' in Appendix 1 should be used and sent by Student Services.
- 9.4 Where the student suspected of misconduct declines to attend an interview or does not attend an interview without a valid reason for absence they should be advised that the investigation will carry on regardless and an outcome reached in their absence.
- 9.5 The CTL will consider the suspected breach of the Student Code of Conduct alongside the student's conduct to date and any extenuating circumstances known. The Head of Student Support should also be consulted for guidance on appropriate steps at this stage, if required.

9.6 Potential Outcomes and Sanctions

- 9.6.1 Once all relevant information and evidence has been gathered and reviewed the CTL consider the incident alongside the student's conduct to date generally and take one of the following actions:
- If there is not enough evidence or no misconduct, then no further action will be taken.
 - Provided the staff members investigating are satisfied a breach of the Student Code of Conduct has taken place, CTL can issue a Final Written Warning (Outcome FS2 in Appendix 1) and an update to the Behaviour Action Plan (Template in Appendix 1) to the student and LDW to update student records.
 - Should the evidence suggest that the misconduct is not serious enough to merit a Final Written Warning, the CTL can revert to Formal Disciplinary Stage 1 (written warning), following the guidance in Section 8 onwards. Conversely, should the evidence suggest the misconduct is more serious than Stage 2, proceeding to Stage 3 should be considered, following the guidance in Section 10.
- 9.7 When issuing the Final Written Warning, the CTL should send the outcome to Student Services, who will send official notification to the student (Outcome letter FS2 in Appendix 1). A copy of this, and any possible supplementary Behaviour Action Plan (Template in Appendix 1) should be sent to the student, HoC for the area in which the student is studying, Student Services and the Quality Officer. The appropriate outcome should be logged on the UHI student record or relevant system or within UHI Moray local system, as appropriate.
- 9.8 A Final Written Warning will be held on the UHI student record or relevant system or within UHI Moray local system, as appropriate. for **12 months**. Students who re-enrol on a UHI delivered course within 12 months, and have a Final Written Warning retained on the UHI

student record or relevant system or within UHI Moray local system, as appropriate. may be interviewed prior to receiving a course offer to ensure they are aware of the behaviour expectations set out in the Student Code of Conduct.

- 9.9 If concerns about the student's conduct have passed the Final Written Warning will normally be expunged after 12 months, but if concerns remain around the student's conduct the Final Written Warning can remain in place up to an additional 6 months at the discretion of staff. The student must be notified of this extension and the reasons for it.
- 9.10 The student has the right to make an appeal against the outcome under specific circumstances. Further information is included in Section 12.

10 Formal Disciplinary Stage 3 (including gross misconduct)

- 10.1 A Stage 3 Formal Disciplinary will be initiated where:
- Repeated breach of the Student Code of Conduct for which the student has previously received warnings.
 - A single instance of suspected gross misconduct e.g. conduct serious enough that, if proven, it may lead to exclusion or withdrawal from UHI Moray.
- 10.2 Gross misconduct includes the most serious breaches of the Student Code of Conduct. Gross misconduct is not precisely defined as it is contextual but is likely to involve serious criminal misconduct, carrying weapons with an intent to use them, serious damage to property, substance misuse and/or distribution, verbal abuse, physical and/or sexual violence and gender-based violence. *Please see the Student Code of Conduct for further examples.*
- 10.3 Should a member of staff believe the Stage 3 Formal Disciplinary Procedure may be appropriate; the alleged incident should be discussed with Head of Curriculum, Head of Student Support Services and Quality Officer. These members of staff should decide about whether to proceed to Stage 3 Formal Disciplinary procedure.
- 10.4 Prior to an investigation into the suspected breach of the Student Code of Conduct, consideration should be given by the senior member of staff and Head of Student Services as to whether precautionary action should be taken (see Section 5.1 of this procedure and Section 2.8 in the Student Disciplinary Policy).
- 10.5 Where precautionary action is required, the Head of Student Support Services will inform the student in person, where it is possible to do so, of the precautionary action and the reasons for the decision. Notification of this action will be confirmed in writing. (Use template FS3a. Suspension Pending Investigation, in Appendix 1).

Investigation

- 10.6 An appropriate member of staff will be appointed as Investigating Officer by the Quality Officer. Any potential conflicts of interests should be avoided when appointing an Investigating Officer from the pre agreed pool.
- 10.7 Ideally, the Investigating Officer will have undertaken a level of training which provides them with the skills to undertake such an investigation (e.g. SPSO Complaints Investigation Skills).
- 10.8 The Investigating Officer will notify Student Services, who will inform the student alleged to have breached the Student Code of Conduct and provide them with details of the alleged

- offense using Template FS3b in Appendix 1. The Investigating Officer should be mindful of the level of detail provided to ensure other students are not placed at risk. The content of data shared will be determined on a case by case basis.
- 10.9 The Investigating Officer should follow the guidance provided in Section 6.6 Supporting the Interview and Investigation Process. (Further guidance provided in Appendix 1 via Supporting the Formal Investigation Process Stage 3). At this stage of the disciplinary process Template FS3b/c. 'Invitation to Attend a Disciplinary Investigation Meeting' in Appendix 1 can be used.
- 10.10 Prior to interview, students may wish to provide a written statement detailing their version of events.
- 10.11 All student(s) interviewed, including the student who is alleged to have breached the Student Code of Conduct, should have the right to be accompanied by a supporter of their choosing (other than a legal representative or another student involved in the incident or investigation). Students are strongly encouraged to contact the HISA Advice Service, whose trained staff can provide free, confidential and independent support. This includes help with understanding the disciplinary process, preparing for meetings or hearings, and emotional support throughout the investigation.
- 10.12 Where the student(s) suspected of misconduct declines to attend an interview or does not attend an interview without a valid reason for their absence, they should be advised that the investigation will carry on regardless and an outcome reached in their absence. In some cases, actions may include proceeding to a disciplinary hearing which the student(s) will be requested to attend.
- 10.13 At the end of the investigation process the Investigating Officer will complete the Stage 3 Investigating Manager's Checklist (See Appendix 1) and provide a recommendation on whether there is a disciplinary case to answer to The Quality Team. The recommendation will be accompanied by any evidence relating to the suspected breach of the Student Code of Conduct collected during the investigation, including statements from staff and/or students.
- 10.14 The recommendation will include details of any previous disciplinary action and an overview of the student's engagement with their studies to date. The Investigating Officer will not make recommendations on potential sanctions **during** the investigatory process.
- 10.15 The Quality Team will decide whether to proceed to a Disciplinary Hearing, based on the recommendation from the Investigating Officer and the evidence collected during the investigation. Generally, a disciplinary hearing will only be undertaken in cases where gross misconduct is suspected.
- 10.16 Should the The Quality Team choose not to proceed to a Disciplinary Hearing; their rationale should be recorded and all records retained for as per the retention schedule.

11 Disciplinary Hearing

- 11.1 Should the The Quality Team decide to proceed to a disciplinary hearing, it will take place within **10 working days** of the Investigating Officer making their recommendation. Where this is not possible due to academic holidays and/or student/staff illness the student(s) will be advised in writing. All parties will be communicated with regarding any delays and alternates will be appointed in a timely fashion if absence is likely to prevent the investigation progressing.

- 11.2 Students will normally receive at least **10 working days'** notice for a disciplinary hearing where suspension, exclusion, or withdrawal is being considered. This notice should include.
- ☐ A clear statement of the allegations and potential outcomes
 - ☐ An information pack containing the evidence being considered by the panel, being mindful of the level of detail provided to ensure other students are not placed at risk
 - ☐ Information about the student's right to submit additional evidence
 - ☐ Clear details of their right to bring a supporter or representative and contact information for UHI Student Support and HISA Advice Service.
 - ☐ Please see Template FS3 Invitation to Disciplinary Hearing in the Disciplinary Support Pack (Appendix 1).
- 11.3 Students may request a postponement if they can demonstrate that additional time is needed to prepare (for example, to obtain medical evidence, secure witness statements or accommodate a PLSP). Where possible the student should make such requests at least **5 working days** in advance of the hearing, providing their reasons and any relevant evidence to support their request. Such requests should be considered sympathetically and without prejudice unless there are compelling safety reasons to proceed urgently.
- 11.4 **The disciplinary panel** should consist of three members, including Quality, plus a scribe. At least one of the panel members should be of a senior enough level to be able to decide on withdrawing or excluding a student (Including curriculum managers). Where the latter is not possible the panel outcome should be passed to a relevant senior member of staff after the meeting who can take this decision within a timeous manner. **The senior member of staff should be from another curriculum area.** The disciplinary panel should take time after any interview to reflect on the evidence prior to reaching a decision. The disciplinary panel will be appointed by the Quality Officer.
- 11.5 The purpose of the meeting is to:
- Establish whether the alleged incident took place
 - Explore the reasons for alleged incident
 - Establish whether the student is committed to correcting their conduct
 - Explore how the student can be supported if they continue with their studies
 - Consider any information that was not available during the investigation
 - Determine whether the actions constitute gross misconduct
 - Determine any disciplinary action that should be taken against the student
 - Determine whether the circumstances are such that the student should be excluded from their studies or from the campus (and/or all UHI campuses)
- 11.6 The chair of the panel should ensure the student understands the possible outcomes of the hearing and their right to appeal any decision.
- 11.6.1 Students facing disciplinary are often under stress and may not fully understand the possible outcomes of their right to challenge a decision. Making this an explicit aim of the hearing affirms that the process is not just punitive but guided by fairness, transparency, and the student's right to due process. Clearly stating this expectation encourages panel members to take time to explain outcomes in plain language and gives students confidence that they are being treated with dignity and respect.

11.7 [Potential Outcomes of a Disciplinary Hearing](#)

11.7.1 The disciplinary hearing panel has scope to take disciplinary action that may include one or more of the following:

- No further action
- Informal Warning and associated Behaviour Action Plan
- Written warning
- Written apology to the aggrieved party/parties
- Compulsory attendance at a workshop/coaching session
- Restrictions/conditions on attendance
- Fines for wilful damage, theft or non-return of equipment
- Final written warning
- Exclusion from campus
- Exclusion from their studies
- De-registration (postgraduate research students)
- Permanent exclusion from the university and all academic partners
- Removal of university award

11.7.2 The student must be informed of the outcome of the disciplinary hearing in writing within **three working days** of the meeting.

11.7.3 If the issue is deemed **not** to be **gross misconduct** the length of time the outcome remains on the student record will be determined on the seriousness of the sanction/outcome. For example, a final written warning would be retained on student record for 12 months. Students who re-enrol on a course in the university partnership within the sanction/outcome time period should have the hearing outcome retained on their UHI student record or relevant system. If concerns about the student's conduct have passed the hearing outcome will normally be expunged after the sanction/outcome time period, but if concerns remain around the student's conduct the sanction can remain in place for an additional 12 months. The student must be notified of this extension and the reasons for it.

11.7.4 Students who wish to re-enrol on any course and have a warning retained on the UHI student record or relevant system or within UHI Moray local system, as appropriate, may be interviewed prior to receiving a course offer to ensure they are aware of the behaviour expectations set out in the Student Code of Conduct.

11.7.5 If the issue is deemed **to be gross misconduct** the outcome of the hearing will be attached to the student **permanently** on the UHI student record or relevant system or within UHI Moray local system, as appropriate and may be taken into account determining any future university partnership applications. The decision to classify the issue as gross misconduct is at the discretion of the panel (see Section 11.5).

11.7.6 Certain disciplinary outcomes, particularly exclusion from studies, deregistration, or permanent exclusion, may affect a student's access to funding, academic progression, and student support services. Where this is the case, students will be provided with clear information about these consequences in writing. Staff/Students are encouraged to seek advice from the HISA Advice Service or Student Services to understand the implications of any sanction and to receive support in managing their next steps.

- 11.7.7 The student has the right to make an appeal against the outcome under specific circumstances. Further information is included in Section 12.
- 11.7.8 A copy of all documentation presented as evidence, the panel outcome letter, and the hearing report should be sent to the Quality Officer. If a sanction is given this should be logged on the UHI student record or relevant system or within UHI Moray local system, as appropriate.
- 11.7.8 A student deemed not to have committed gross misconduct, but whose behaviour does not improve, should be referred via Stage 3 again. A re-referral to stage 3 may result in a more serious sanction e.g. exclusion.

12. Appeals

- 12.1 A student may appeal against any disciplinary action taken against them. Appeals will only be considered on the following grounds:
- That the Student Disciplinary Procedure was not followed correctly
 - That there was prejudice and/or bias on the part of the Investigating Officer or any disciplinary hearing panel members which affected the outcome
 - That the disciplinary action imposed is thought to be disproportionate to the offence
 - That there is new evidence, or new information about existing evidence, which could not have been made reasonably available during the original determination.
- 12.2 Students are encouraged to seek assistance from the HISA Advice Service when preparing for an appeal. HISA Advice Service staff can help students understand the process, draft a written statement, and ensure their concerns are clearly presented.
- 12.3 Appeals must be made in writing to appeals.moray@uhi.ac.uk. The appeal must be made within **5 working days** of receiving the outcome of disciplinary action and must state the grounds on which the appeal is being made.
- 12.4 Appeals will not be considered for any other reason or through any other means than those outlined above (Sections 12.1).
- 12.5 The appeal will be considered by the appropriate Senior Member of Staff who will respond to the student within **5 working days** of receiving the appeal. Once the outcome has been decided there is no recourse to further appeal.
- 12.6 No change to the student's enrolment status should be made until the appeals process is complete as this could impact their access to email, support services and funding.
- 12.6 If a student has concerns about the fairness of the appeal process itself, they may raise formal complaint via the [UHI Complaints Handling Procedure](#).

13. School pupils

- 13.1 School pupils include all learners studying any level of programme during their senior phase (S4-S6) including those who are home educated and those who attend UHI Moray as part of the Exceptional Entrant Programme (Christmas leavers).

- 13.2 Appropriate intervention should be taken during class time to minimise disruption to learning by following general principles of classroom management. Should behaviour escalate to a stage where it is felt that early intervention is required, as outlined in Section 7, the Schools Team should be informed at the earliest opportunity and will provide guidance and support.
- 13.3 The Schools Team will work with the school pupil, their parent/guardian and the relevant contact in school alongside staff at UHI Moray to encourage a positive behavioural outcome.
- 13.4 The Head of Registry and Academic Operations has a duty of care for all school aged pupils studying at UHI Moray both online and on campus and will oversee all formal stages of the disciplinary process.
- 13.5 The Head of Registry and Academic Operations will ensure that all relevant contacts from the local Education Authority and appropriate members of the pupil's school, their parents/guardians and any relevant community partners will be informed of our intention to use the formal stage(s) of the Student Disciplinary Process as well as informing them of any disciplinary outcomes related to the school pupil and the implications this will have on their learning and progression at UHI Moray.
- 13.6 School pupils studying on Senior Phase Programmes can seek support from their school guidance teacher. School pupils studying on our HNC programme and exceptional entrant programmes can access all UHI Moray support.

14. Apprentices

- 14.1 The relevant team at UHI Moray should be informed of any concerns around disciplinary incidents involving apprentices.
- 14.2 The relevant team has a duty of care to inform employers as soon as it becomes clear that an apprentice may be involved in conduct which breaches the Student Code of Conduct and will consult with appropriate business contacts to inform them of the Disciplinary Process and any sanctions which may be imposed as a result of a UHI Moray investigation.
- 14.3 Employers may be included in the UHI investigation process at the discretion of the relevant team.
- 14.4 Apprentices have the same right to seek help, support and guidance from UHI Support Teams, as well as free, confidential, and independent advice from Highlands and Islands Students' Association (HISA) Advice Service.
- 14.5 Apprentices may be subject to further disciplinary action as a result of their employer's disciplinary policies and procedures.

15 Appendices

Appendix 1: Disciplinary support pack

The disciplinary support pack can be viewed [here](#).

This contains the below supporting documents to help staff through the disciplinary process:

- Supporting the interview and investigation process
- Flow chart 1: Informal early intervention
- Informal stage outcome letter
- Template 1: Behaviour action plan
- Template 1a: Invitation to informal discussion
- Template 1b: Informal witness invitation to discussion
- Flowchart 2: Formal Stage 1
- Outcome letter FS1: Written warning
- Template FS1a: Invitation to disciplinary investigation
- Template FS1b: Witness invitation to investigation
- Flowchart 3: Formal Stage 2
- Outcome letter FS2: Final written warning
- Template FS2a: Invitation to investigation
- Template FS2b: Witness invitation to investigation
- Supporting a Formal Investigation Stage 3
- Template FS3: Investigation Manager checklist
- Template FS3a: Suspension pending investigation
- Template FSb: Invitation to investigation
- Template FSc: Witness invitation to investigation