LEITHS EDUCATION

Misconduct and disciplinary procedures

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1. Purpose

Leiths is committed to maintaining a safe, respectful, professional and fair learning environment for all students, staff and visitors.

This procedure sets out how Leiths will manage:

- Student disciplinary matters
- Academic and non-academic misconduct
- Appeals relating to disciplinary decisions or exclusions

The school will ensure all matters are handled fairly, consistently, promptly, and with an opportunity for all relevant parties to be heard before decisions are made.

2. Scope

This procedure applies but is not limited to:

- Student misconduct or breaches of school rules
- Behaviour affecting the safety, wellbeing or learning of others
- Serious or repeated misconduct

3. Academic misconduct

Any action by a student which gives or has the potential to give an unfair advantage in an examination or assessment or might assist someone else to gain an unfair advantage, or any activity likely to undermine the integrity of Leiths Education.

Examples of academic misconduct include:

• Plagiarism - presenting someone else's work or ideas as the student's own

• Taking a copy of another student's work without their permission

• Falsifying data, evidence or experimental results

• Collusion - working with someone else on an assessment which is intended to be the student's own work

• Contract cheating - where someone completes work for a student who then submits it as their own

• Cheating in examinations (or other formal assessment), including possession of unauthorised material or technology during an examination, and attempting to access unseen assessment materials in advance of an examination

• Submitting fraudulent mitigating circumstances claims or falsifying evidence in support of mitigating circumstances claims (this may also be considered a non-academic disciplinary matter)

4. Non-academic misconduct

Leiths aims to provide a supportive, safe, and inclusive learning environment for all.
The Behavioural Rules listed in the Student Handbook sets out the standards of behaviour that are expected. We'd encourage you to familiarise yourself with these rules, as, if your behaviour is deemed to breach expectations the disciplinary procedure may be applied.

Examples of non-academic misconduct include:

• Antisocial behaviour

• Inappropriate, abusive or threatening behaviour, including on social media

• Compromising the safety of and/or wellbeing of staff, other students, or visitors

• Sexual misconduct

• Violence, harassment and hate crimes

• Behaviour likely to bring Leiths into disrepute, such as disruptive behaviour in the community

• Internet access abuse, such as visiting inappropriate websites, uploading/ downloading inappropriate content, propagation of computer viruses

• Disruptive behaviour on the provider's premises, such as setting off fire alarms or obstructing access to buildings or rooms

• Damage to the provider's property or abuse of its facilities

• Deliberate breach of Leiths Health & Safety or Food Safety Policies

• Relying on forged, falsified or fraudulent documentation, and other forms of deception that are intended to gain an advantage, for example submitting fraudulent mitigating circumstances claims or falsifying evidence in support of mitigating circumstances claims (the last may also be considered an academic disciplinary matter)

• Other behaviour which may also constitute a criminal offence

• Serious disruptive behaviour that prevents other students learning safely or effectively – for example, where a teacher needs to stop or evacuate a class to address the situation caused by a student

5. Disciplinary process

Leiths may take disciplinary action where a student's behaviour has affected:

• Leiths itself

• A student or employee of Leiths

• Others visiting, working or studying at Leiths

• A member of the public

Leiths may also take disciplinary action in response to misconduct which:

• Happens during off-campus activities such as placements and field trips

• Affects Leiths reputation in the local community or more widely

• Happens on social media.

Informal Resolution (Where Appropriate)

Where concerns are minor and suitable for early resolution, matters should normally be addressed informally first.

Examples may include:

- Minor inappropriate behaviour
- Minor or first-time breaches of school policy or behavioural rules
- Low-level classroom disruption
- Low-level conduct concerns
- Interpersonal disagreements or misunderstandings

Informal Procedure

1. The concern is discussed privately with the student by a tutor, teacher, or relevant staff member.
2. Expectations and required improvements are explained clearly.
3. A follow-up email will be sent summarising the discussion and expectations.

If the matter is resolved, no further action is required.

If behaviour continues, worsens, or is sufficiently serious, the matter will move to the formal process.

Formal Disciplinary Procedure

A formal matter may arise through:

- A concern raised by a student, staff member or third party
- Observation of misconduct by staff or another student
- A serious or repeated breach of school policy, behavioural rules, health and safety rules, or academic integrity standards
- Persistent attendance or punctuality concerns, or attendance concerns referred under the Absence provisions of the Student Handbook.
- A failure to comply with expectations or requirements identified through the informal procedure.

Step 1: Initial considerations and preliminary investigation

Leiths will:

- Acknowledge receipt of the concern
- Record:
    - Date
    - Individuals involved
    - Summary of allegations or concerns
    - Supporting evidence provided

Additional clarification or documentation may be requested where necessary.

Step 2: Investigation

An investigation will be carried out proportionate to the seriousness of the matter.

The investigation may include:

- Review of relevant policies and procedures
- Collection of written evidence or statements
- Review of records, communications, or assessments where relevant
- Meetings or interviews with relevant individuals

The investigation will establish:

- Facts of the matter
- Whether there is a case to answer
- Whether formal hearing is required

Step 3: Formal Hearing or Review Meeting

Where there are grounds for further action, the student will be invited to a formal hearing or review meeting.

The student will receive written notice including:

- Details of the allegations or concern
- Summary of evidence
- Date, time and location of meeting
- Possible consequences or outcomes

The student will have the opportunity to:

- Respond to allegations
- Present their account
- Provide further information or mitigating circumstances

Step 4: Outcome Decision

Following the hearing, Leiths will determine an appropriate outcome. Where misconduct relates to an assessment, examination, academic integrity or the award of qualifications, sanctions may include restrictions on participation in assessments or examinations, where considered appropriate and proportionate in the circumstances. In all other cases, sanctions will normally focus on behavioural outcomes such as warnings, suspension, restrictions on participation in School activities or exclusion from the Course.

Possible outcomes include:

Outcome 1: No Further Action

Where allegations are not substantiated or concerns are resolved.

Outcome 2: Written Warning

Appropriate for:

- Repeated misconduct
- More serious breaches of conduct expectations

Action:

- Formal written warning issued
- Expectations for improvement outlined
- Consequences of further misconduct stated clearly

Outcome 3: Final Written Warning / Suspension

Appropriate for:

- Serious misconduct

- Continued misconduct following prior warnings

Action may include:

- Final written warning
- Temporary suspension
- Exclusion from specific activities, assessments, examinations or reassessment opportunities (where the misconduct directly relates to the assessment process itself).

Outcome 4: Exclusion or Immediate Removal

Appropriate for:

- Gross misconduct
- Serious risk to safety, welfare, or school reputation
- Severe or repeated misconduct despite previous warnings

Action may include:

- Immediate suspension pending investigation
- Permanent exclusion from the course
- Exclusion from specific activities, assessments, examinations or reassessment opportunities (where the misconduct directly relates to the assessment process itself).

6. Gross Misconduct

Gross misconduct is behaviour considered sufficiently serious to justify immediate suspension or exclusion, with or without prior warnings.

Examples include, but are not limited to:

- Being intoxicated on school premises
- Possession, use, or distribution of illegal drugs
- Theft
- Bullying, harassment, or threatening behaviour
- Criminal conduct
- Plagiarism, cheating, or inappropriate use of Artificial Intelligence
- Serious breaches of Health & Safety or Food Safety policies
- Deliberate unsafe behaviour
- Serious disruption preventing others from learning safely or effectively

Gross misconduct cases may proceed directly to formal investigation and potential exclusion.

7. Appeals Process (Applicable to All Outcomes)

This appeal process applies to:

- Disciplinary decisions
- Complaint outcomes
- Warnings
- Suspensions
- Exclusions
- Gross misconduct decisions
- Unacceptable level of absence decisions

Step 1: Submitting an Appeal

The student must submit an appeal in writing within **5 working days** of receiving the decision.

The appeal must include:

- Decision being appealed
- Full grounds for appeal
- Any supporting evidence or new information

Grounds for appeal may include:

- Procedural unfairness
- New evidence
- Disproportionate outcome
- Incorrect findings of fact

Step 2: Appeal Review

Leiths will acknowledge the appeal and arrange an appeal review.

The appeal may be:

- A review of the original decision, or
- A full rehearing of the matter

This will be determined by the school depending on:

- Nature of appeal

- Complexity of case
- New information submitted

Where possible, the appeal will be heard by:

- A senior staff member not previously involved, or
- An external adjudicator where appropriate

The student will be informed in writing of:

- Appeal hearing date
- Time
- Location or meeting arrangements

Step 3: Appeal Outcome

Following the appeal, the reviewer may:

- Uphold the original decision
- Revoke the original decision
- Substitute an alternative outcome or sanction

The final decision will be confirmed in writing, normally within **1 week** of the appeal hearing or review.

This decision is final. No further internal appeal is available.

8. Record Keeping

Leiths will maintain confidential records of:

- Complaints
- Investigations
- Hearings
- Warnings
- Suspensions
- Exclusions
- Appeals and outcomes

Records will be managed in accordance with school data protection requirements.