



## SCHOOL OF VETERINARY NURSING

### STUDENT DISCIPLINARY CODE POLICY AND PROCEDURE

The Student Disciplinary Code supports the standards of behaviour set out in the Lynwood School of Veterinary Nursing (LSVN) Code and the Student Handbook in order to ensure that all students who may be subject to disciplinary procedures are dealt with in a fair and equitable manner.

- This applies to all students and trainees at the school, whether full-time or part-time.
- Students on LSVN approved work placements also fall within the scope of this Code.
- The Code also includes the behaviour of students away from the school premises where they are associated with the school and/or are travelling to or from school or involved in an incident that is of a serious nature and/or brings the good name of the school into disrepute.

#### 1. Procedure

Summary of the Disciplinary Warnings Stages

STAGE	MEMBER OF STAFF RESPONSIBLE	OUTCOME	ROUTE OF APPEAL
<b>VERBAL WARNING</b>	Non-academic and Academic related warnings will be given by a head of centre	Verbal warning and the record placed on file (a referral for learning support may be applied)	None
<b>FIRST WRITTEN WARNING</b>	Non-academic and Academic related warnings will be given by a head of centre	First written warning and the record placed on file.	None
<b>SECOND WRITTEN</b>	Non-academic and Academic related warnings will be given by a head of school.	Final written warning and the record placed on file.	None



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### FINAL WRITTEN OR GROSS MIS- CONDUCT

Heads of school

Exclusion from  
LSVN

Appeals against  
exclusion from  
LSVN are made  
to the board  
whose decision is  
final and against  
which there is no  
further appeal.

### **2. The LSVN Academic Code covers the following aspects of student activity:**

- All academic matters are involved and this includes main qualifications, LSVN additional qualifications. All aspects of a student's studies are covered including written, practical and assignment work.
- Plagiarism
- Absenteeism
- Timekeeping and Lateness

NB: All stages in the code should be consecutive (i.e no more than one warning is issued at each stage).

Warnings issued under the Academic Code will normally remain current for a period of 12 months from the date of issue. This may be varied at the time of warning issued and the period of currency must be defined in a warning letter, otherwise the 12 month period remains standard.

### **3. The Student Disciplinary Code covers the following areas of student activity:**

- All students attending LSVN are covered by this Code (full-time, part-time and those attending short courses).
- The behaviour of students during the delivery of courses and outside those times during the day.
- This also includes the behaviour of students away from the school where they are
- associated with LSVN and/or are travelling to or from the school or involved in an incident that is of a serious nature and/or places the good name of the school in disrepute.
- Students on LSVN approved work placements also fall within the scope of this Code.



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- All aspects of student performance and academic matters. This includes the main qualifications students are studying towards, additional qualifications, learning support, work placements and tutorials including areas such as failure to meet deadlines, academic underperformance, absenteeism and lateness.
- All aspects of students' studies are covered, including written, practical and assignment work, whether internally or externally assessed.
- All attempts to deceive the school with regard to assessments such as plagiarism, cheating and conspiracy.

NB: The stages in the Code will normally be consecutive (i.e. no more than one warning issued at each stage). However, serious offences will have action taken at any appropriate stage in the procedure.

Students may be subject to two different types of warning systems at the same time. The School operates a warning system for:

- Academic related matters and
- Non-academic related matters
  
- Where students face sanctions or disciplinary action based on academic performance they may additionally need to refer to any guidelines from their awarding body
- Suspension is a sanction available to the Heads of Centre and his/her nominee in any appropriate circumstance. (Suspensions may be applied for a period of up to 2 weeks.)
- Warnings issued under the Disciplinary Code will normally remain current for the period of the full academic year from the date of issue. (NB this is usually from September to 1st July the following year).
- This may be varied at the time the warning is issued and the period of currency must be defined in a warning letter, otherwise the academic year period remains standard.
- This Policy applies from 1st September 2019, all previous disciplinary records for one calendar year in the previous policy still remain in force for 2019/20. Residency staff will be allowed to apply one calendar year in extreme cases in agreement with the respective Head of centre and the board.
- All disciplinary records must be accurately kept on the Student Support Register with clear dates of duration for each sanction.



## **4. Stages**

### **1. Verbal Warning**

Cases of minor misdemeanour may be dealt with consent with the heads of school

Where there are numerous incidents or minor misdemeanours recorded on a student's file, consideration will be given to the issue of either a written warning or exclusion from the school, as appropriate. In such circumstances, the level of warning to be applied will be considered by the heads of centre.

### **Cases Other Than Verbal Warning**

Cases that are anything more than minor cases of misdemeanour will be dealt with through the issue of written warnings and / or exclusion from LSVN.

## **5. Exclusions**

Written warnings may result in an automatic exclusion from LSVN.

The written warnings may be in respect of misdemeanours that have taken place either in or out of the school.

Exclusions from LSVN can only be issued by a head of centre who will interview the student formally to determine whether or not an exclusion is appropriate.

The student will have the right of appeal against the issue of any exclusion from LSVN to a head of centre or the board.

Details regarding appeals are given in Section 7.



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Written warnings and exclusion from LSVN will normally be issued in writing within 72 working hours of any exclusion. Copies of warning letters are normally issued to the parents / guardians of those students aged under 18.

Written warnings may be issued on the recommendations of any member of LSVN staff, for example tutors and lecturers.

The warning to be issued is determined by the nature and severity of the misdemeanour. For example, an incident that might be deemed to be minor would receive a written warning. If the misdemeanour was of greater severity, second or final warnings might be issued.

Warnings will be based on a reasonable belief that inappropriate behaviours/actions have taken place, not on a criminal standard of beyond reasonable doubt.

Tuition fees will not be refunded for periods where students are suspended from LSVN under any circumstances whatsoever (which for the avoidance of doubt where appeals have been upheld).  
Examples of misdemeanours are given in Section 15 of this document.

### **6. Investigations**

Where it is deemed necessary, the conduct of any student will be investigated as is appropriate to the particular circumstances of the case.

If an exclusion is issued the student will have the right of appeal to the head of school for exclusion from LSVN.

During the investigation process students will be entitled to be accompanied by a friend, fellow student or a relative. A legal or professional advisor will only be allowed to attend if the school intends to have an external advisor present.

All parties interviewed as part of an investigation will be requested to check and sign their statements following each interview.

Following the completion of an investigation the student will have the right to hear all evidence against them. The student will have the right to present their own case against the charge.

The head of school will have the right to issue a warning. All written warnings should be provided in writing to students within 5 working days of the completion of the investigation.

## **7. Appeals**

A student has a right of appeal against an exclusion, if there is substantive evidence that:

- The issue of the exclusion is inappropriate, or
- The issue of an exclusion is excessive.

The appeal must be lodged before 5:00pm on the fifth working day of issue of the exclusion.

All appeals must be lodged with a head of school and must give the grounds and

particulars of the appeal detailed above together with any supporting evidence.

The head of school will review the disciplinary action and will notify the student within five days of receipt of the appeal if it does not provide sufficient grounds for an appeal interview. If the appeal is deemed not to be worthy, the exclusion will apply and no further appeal is possible.

## **8. Notice of Appeal**

A student who appeals against the issue of an exclusion will be notified of the result of his or her appeal. If the appeal is considered worthy of further discussion and the student is to be allowed an Appeal Hearing, a written notice will be given, which will include:

- the nature of the incidents leading to the issuing of the exclusion;
- a summary of the evidence leading to the issue of the exclusion;
- a statement that an exclusion constitutes possible exclusion from LSVN
- the student's entitlement to be accompanied by a friend, fellow student or relative (a legal or other professional adviser will only be allowed to attend if the school intends to have an external adviser present);
- that the student may submit a written response in respect of the exclusion (the subject matter of the appeal) to the board no later than three working days in advance of the appeal hearing itself;



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- confirmation of the time and place of the appeal hearing and the name and status of the member of staff who will conduct the appeal.
- The Chair of the Appeal Hearing will not have had prior involvement in any previous stage of the disciplinary process relating to the exclusion. Such appointments will be drawn from the board.
- The notice will enclose a copy of the appeal procedure which will be followed at the appeal hearing ('Procedure for Student Disciplinary Appeal Interview'), and any other relevant policies and procedures.
- Copies of any documentary evidence, together with signed copies of any written statements to be relied upon at the disciplinary appeal must be provided to the board, the student, head of centre of the appeal hearing and the Investigating Officer (if appropriate) at least three working days before the appeal hearing to enable to all parties at least two working days before the disciplinary appeal.
- Non-attendance by a student will not delay or invalidate an appeal hearing, nor prevent the imposition of the final decision.
- If an appeal is not successful, the student will be notified in writing within five working days. No further appeal is possible within the school.

### **9. Suspension**

In appropriate circumstances a head of school may suspend a student for up to two weeks. The parents / guardians of students aged under 18 will be notified of any such suspension.

Where it is deemed to be an emergency, designated members of staff may suspend a student for up to 72 hours pending referral of the matter under the direction of a head of centre.

Tuition fees will not be refunded for periods where students are suspended from

LSVN under any circumstances whatsoever (which for the avoidance of doubt includes where appeals have been upheld).

### **10. Criminal Offences**

Where any member of staff has reason to believe that a student may have committed a criminal offence, the School may refer the matter to the Police and may continue disciplinary proceedings under the Student Disciplinary Code or suspend the student pending the outcome of Police enquiries and



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any charges which may be brought against the student. Where the student has been suspended under this provision, when the results of those enquiries and any criminal proceedings are known, LSVN reserves the right to commence proceedings under the Student Disciplinary Code in relation to the matter.

Any disciplinary action relating to the alleged criminal offence will be based on the genuine belief of the member of staff taking the action after a proper investigation and will not require a criminal conviction. It is emphasised that in relation to the application of the Student Disciplinary Code, the school is not bound by the results of any criminal proceedings against students.

### **11. Time Periods**

With the exception of the time allowed for lodging an appeal, the time periods stated in the Student Disciplinary Code are for guidance and may be varied by the school if it is not practicable to adhere to them. Written notice of any such variation will be given.

Periods of days referred to in the Student Disciplinary Code are working days. Documents sent by first class post will be deemed to be received within two working days of posting.

### **12. Students Under 18**

If a student under 18 years of age is the subject of proceedings under the Student Disciplinary Code, wherever practicable a parent or guardian will be invited to attend any appeal interview unless in the view of the member of staff conducting the interview such attendance would be prejudicial to a fair and effective interview.

If a student under the age of 18 is given a formal written warning or expelled or suspended from the school, a parent or guardian will be informed in writing wherever practicable and as soon as possible. Where a parent or guardian is unable to attend, an under 18 student may bring a friend, fellow student, relative, colleague or staff member.

### **13. Variations and Amendments To This Code**

In some cases it may be desirable that variations should be made to procedural aspects of the Student Disciplinary Code. The school may make





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such variations as it sees fit, subject to informing the student concerned and subject always to considerations of fairness. Without limitation, such variations may include appeals interviews being conducted by different persons, if the person who would otherwise be conducting the interview has previously had close personal involvement in the matter to be considered.

### **14. Procedure for Student Disciplinary Appeal Interviews**

It is the duty of the Chair conducting the Appeal Hearing to act with impartiality and these guidelines outline the procedures devised to ensure a fair hearing and that full consideration is given to all material facts. A clerk (who may be a school administrator) will take minutes of the appeal hearing.

#### **1. Assembly**

The parties involved are segregated as follows:

- 1.1. The Chair to the hearing;
- 1.2. The Investigating Officer (and witnesses if required);
- 1.3. Student (and representative) (and witnesses, if required). A legal or other professional representative will only be allowed to attend if the school intends to have an external adviser present.

#### **2. Briefing**

The Chair will appraise him / herself of the case presented.

#### **3. Introduction**

- 3.1. The Clerk will introduce all parties to each other. Either party may call witnesses to support their case.
- 3.2. The Chair will confirm the reason(s) for allowing the appeal.

#### **4. School Case**

- 4.1. The Investigating Officer will present the School case, calling witness(es), as appropriate.
- 4.2. The student or his / her representative will cross examine both the Investigating Officer and the witness(es), as appropriate.



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4.3. The Interviewer will question the Investigating Officer and the witness(es), as appropriate.

### **5. Student Case**

5.1. The student or representative will respond to the allegation and present his / her case, calling witness(es), as appropriate.

5.2. The Chair or his / her representative will cross examine both the student and the witness(es), as appropriate.

5.3. The Interviewer will question both student and the witness(es), as appropriate.

### **Adjournment**

The Chair may adjourn the hearing at his / her discretion to a future date within 10 days of the date of the disciplinary interview to allow such relevant evidence (including from sources identified by the student) as the Interviewer considers appropriate, to be made available. The Chair may arrange for witnesses to be available in person for the re-convened hearing or (where in the view of the Chair that is not practicable) for written statements to be taken and to be made available at the adjourned hearing.

### **Deliberation**

7.1. The School and student parties will withdraw from the hearing and the Chair will consider the case as presented.

7.2. Non -attendance by the student will not delay or invalidate a consideration of the allegation of misconduct nor prevent the imposition of a disciplinary penalty.

### **Appeal Decision**

The Chair of the appeal will inform all parties on the outcome of the hearing within five working days in writing.

The decision of the Interviewer is final against which there is no appeal.

### **Notes**

1. The role of the clerk to the hearing is to:

1.1. take an accurate record of the hearing



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1.2. act independently of all parties, to advise on procedure and ensure that there is a full and fair hearing

### **Suspension**

Heads of centre Pursuant to Section 3 Student Disciplinary Code

## **15. Examples of Misdemeanours**

Examples of misdemeanours which may result in disciplinary action being taken against students are

set out below:

1. Breach of any school rules and / or regulations, to include:

The LSVN Code, examples of which are set out below (on a non-exhaustive basis):

- physical or verbal abuse, or threat of abuse
- any form of bullying, harassment or intimidation



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- using or distributing controlled substances (i.e. drugs)
- breaches of LSVN's fire or health and safety regulations (including failure to comply promptly with evacuation procedures and interference with safety notices and equipment)
- abusive language and swearing
- theft or attempted theft of personal or LSVN property
- failure to respect staff or other students e.g. by persistently talking out of turn
- all forms of dishonesty, including plagiarism, conspiracy, cheating and knowingly supplying false information to the school
- mobile phones interrupting classes, workshops and meetings
- forgery, alteration or unauthorised use of LSVN documents with intent to defraud
- misuse of substances or alcoholic drink including underage drinking
- breaches of no smoking policy / legislation (e.g. smoking in unauthorised places)
- unauthorised gambling in LSVN premises or at school activities
- wilfully damaging, or threatening to damage, any school property or facilities
- obtaining, handling or distributing any unacceptable material (e.g. all material of a discriminatory or pornographic nature) either in electronic or paper media or making unacceptable use of School IT systems
- littering, defacing or destroying school property
- wilful disruption of school activities
- breaches of LSVN parking regulations
- unauthorised entry to School premises or activities
- refusing to depart from LSVN premises when instructed to do so by an authorised member of staff of the School
- Misuse of IT, telephones and social media e.g. to raise grievances against staff, students and employers and/or bring the School into disrepute
- Unauthorised recording of staff, students and employers' discussions, meetings and events.

2. Any other misconduct not specified above and which at the discretion of the School is considered unacceptable and / or inappropriate.



**This list is not exhaustive but merely illustrative of the types of misconduct, which might take place.**