

## Code of practice for student discipline

### Introduction

This document presents the policy and procedures that form the Code of Practice for Student Discipline. The code defines conduct that is deemed by Education for Health to constitute an offence. It also defines penalties, authorities, rights to appeal, and procedural details concerning allegations of misconduct, investigations, disciplinary hearings and appeals.

Individuals and committees with responsibility for administering the code do not have the same powers as a court of law. They work in line with the common-law principles of 'natural justice', which means that decisions will be made fairly and reasonably and that students will be given an opportunity to put forward their version of events before any formal disciplinary penalty is imposed. Students also have rights to appeal as set out in the Code.

### Scope

The Code of Practice for Student Discipline applies to all registered or formerly registered students of Education for Health, who were registered on a module or programme accredited by The Open University. For students registered on a module or programme accredited by The University of Hertfordshire the regulations on the University of Hertfordshire website ([www.herts.ac.uk](http://www.herts.ac.uk)) apply.

There are separate procedures to cover complaints by students. Information describing the complaints procedures can be found in our Complaints procedure, available as section 12.2 on our Policies and Procedures webpage: <https://www.educationforhealth.org/education/student-support/regulations-policies/>.

### 1 Offences

Education for Health regards the following as disciplinary offences for which penalties may be imposed under this code.

#### 1.1 Unacceptable conduct

Unacceptable conduct is defined as conduct that:

- a. disrupts or improperly interferes with the teaching, learning, research, administrative, consultative, social or other activities of Education for Health, whether on our premises or elsewhere
- b. obstructs or improperly interferes with the functions, duties or activities of any student, member of staff or other employee of Education for Health, or any authorised visitor to Education for Health
- c. is violent, indecent, disorderly, discriminatory or threatening, or involves offensive behaviour or language during any Education for Health activity or on our premises
- d. is likely to cause injury or jeopardise safety during any Education for Health activity or on our premises.
- e. involves offering, promising, giving, requesting, agreeing, receiving or accepting bribes.

#### 1.2 Reputation of Education for Health

Conduct that, in the opinion of the Education for Health, damages our reputation.

### **1.3 Statements and information: registration, applications, claims, submissions, qualifications**

Knowingly making a false statement or fraudulently providing information in the following circumstances:

- a. applying to register for any Education for Health workshop, module or qualification
- b. applying to be exempt from any Education for Health programme requirements
- c. applying for a deferral of an examination or an extension for any assessed work or requesting an Examination and Assessment Board to take into account additional information
- d. submitting an assignment or anything else that is assessed
- e. applying to Education for Health for a grant, bursary, prize, scholarship or any other form of award, allowance, support or refund of fees.

### **1.6 Confidential information**

Revealing confidential information without permission, including:

- a. information about the proceedings of an Education for Health body
- b. personal information about applicants, other students, graduates, clients or staff
- c. information covered by our registration under the Data Protection Act.

Confidential information can be revealed only in line with the conditions of relevant codes of practice that may be issued from time to time.

### **1.7 Assessment rules and regulations**

Conduct that breaches the Code of Practice for Student Assessment.

### **1.8 Academic Misconduct**

Conduct that breaches Education for Health's Promoting Best Academic Practice Policy.

### **1.9 Encouraging or enabling plagiarism**

Making available, selling or advertising for sale student work in any form or by any means (print, electronic, recording or otherwise) so as to enable plagiarism, whether or not the work includes marks, comments or any other materials produced by a tutor, supervisor or other marker, unless prior consent has been given by Education for Health.

The offence of encouraging or enabling plagiarism includes the act of posting student work on to any public website, whether or not it is done with the intention of enabling or encouraging plagiarism.

### **1.10 Equipment, materials and services**

Conduct that involves misuse or abuse of equipment, materials or services that Education for Health has provided to students, including abusing copyright: this specifically includes, but is not limited to, any breach or infringement of copyright or licence, whether owned or controlled by Education for Health or by a third party, by copying, distributing or offering for sale module or assessment materials.

### **1.11 Other institutions and locations**

Conduct on premises provided by another institution for the use of Education for Health students that breaks the regulations of that institution, including health and safety matters. These premises include any that are used for study day or as the location for a graduation ceremony.

### **1.12 Acceptance of and compliance with penalties**

Failing to accept and comply with any penalty imposed by a disciplinary authority, in line with the conditions of this code for any right of appeal.

## **2 Penalties**

Penalties for academic misconduct are outlined in the Promoting Best Academic Practice policy, available as sections 9.8 – 9.10 on our Policies and Procedures website:

<https://www.educationforhealth.org/education/student-support/regulations-policies/>.

Other penalties available include:

### **2.1 Withholding credit or withdrawing registration**

Withholding credit for a module or modules the student has taken or withdrawing registration for a programme.

### **2.2 Withdrawing qualification or credit**

Withdrawing any academic qualification or module credit.

### **2.3 Withdrawing credit exemption, transfer or equivalent**

Withdrawing any credit exemption, transferred credit or credit that is equal to any period of study or examination.

### **2.4 Cautions**

**A written caution.** A caution may be either formal or informal. Informal cautions do not fall within the remit of this code but a student may be cautioned on an informal basis that further misconduct will result in formal disciplinary action being taken.

A formal caution may be delivered in writing, electronically or orally in the presence of at least one witness, but will be confirmed in writing to the student. Formal cautions are recorded on the student's electronic record.

### **2.5 Compensation**

An order to pay compensation covering all or part of the cost of damage to or replacement of property.

### **2.6 Temporary exclusion**

Temporary exclusion from any facilities, premises or services that are available to students of Education for Health.

### **2.7 Permanent exclusion**

Permanent exclusion from any facilities, premises or services that are available to students of Education for Health.

### **2.8 Temporary expulsion**

Temporary expulsion from Education for Health.

### **2.9 Permanent expulsion**

Permanent expulsion from Education for Health

### **2.10 Any other**

Any other penalty decided by the Board of Directors or Academic Board.

## **3 Authorities**

Decisions will be made fairly and reasonably, and students will have an opportunity to put forward their version of events before any formal disciplinary penalty is imposed. Students have the right to appeal against formal disciplinary decisions subject to admissible grounds.

The Academic Review panel has the authority to recommend penalties in cases of academic misconduct. Recommendations are ratified by the External Examiners prior to being given to the student.

Other disciplinary matters are managed on an individual basis. As a small institution Education for Health does not have a defined central disciplinary committee. The Committee will be convened by a member of the Board of Directors and will include a minimum of one other senior member of staff and others as appropriate.

### **3.1 Executive Authorities**

An executive authority is the senior Education for Health representative who is present at the event or who is providing the service in relation to which the disciplinary offence occurs.

Executive authorities must report all their actions to the Director of Education and Training within 3 working days. They can, however, decide to take certain disciplinary action as outlined below:

- a. informally caution the student (this is not a disciplinary penalty and the student cannot appeal against it)
- b. initiate a formal caution
- c. temporarily exclude the student from facilities, premises or services.

#### **3.1.2 Mode of operation**

Any action taken by an executive authority must be reported as soon as possible and in any event within 3 working days, who must either approve the action, arrange for the matter to be considered further under this code or take other appropriate action.

## **4 Disciplinary Committee**

Should the offence be of such a nature that the penalties imposed by the executive authority are considered insufficient then a member of the Board of Directors can convene a committee to review the case (see 3.1).

Membership will be determined based on the individual circumstances, but the student involved or a nominated representative will be invited to attend.

#### **4.1 Outcome of the Disciplinary Committee**

The disciplinary committee can apply any of the penalties outlined in this code if they are deemed suitable.

The student will be provided with the outcome in writing.

#### **4.2 Students' right of appeal**

A student has the right to appeal against a decision by the disciplinary committee on the following grounds:

- a. Procedural errors
- b. New evidence not previously available to the disciplinary committee

The student cannot appeal just because they disagree with the decision made.

Should a student consider that they have grounds for appeal they should submit this in writing following the procedure outlined in Education for Health's appeals policy, which available as section 12.1 on our Policies and Procedures webpage:

<https://www.educationforhealth.org/education/student-support/regulations-policies/>.