



HIGHER EDUCATION STUDENT DISCIPLINARY POLICY & PROCEDURE 2025-26



SIGNIFICANT CHANGES FOLLOWING REVIEW

PAGE NUMBER OR HEADING NAME	DETAILS OF SIGNIFICANT CHANGE	CHANGES MADE BY
2.1.1	Scope defined	Sharon Dunphy
17.1	Time frame of 48 hours added for right to postpone meeting	Sharon Dunphy
18.1	Time frame of 48 hours added for non-attendance to meeting	Sharon Dunphy

Senior Leadership Responsibility	Deputy Chief Executive – Curriculum & Quality
Policy Author	Deputy Executive Director Higher Education & Quality
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POLICY AVAILABILITY NOTICE

This policy is available in alternative formats upon request to accommodate different needs including word. To request an alternative format, please contact HE support at HEsupport@southessex.ac.uk

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Higher Education Disciplinary Policy & Procedure 2025-26

1. INTRODUCTION

- 1.1** The College's Higher Education Strategy 2021-25 emphasises a student-centered approach, establishing a reciprocal expectation between students and the College, as outlined in the Higher Education Student Charter (see appendix). The College is accountable to external regulators such as the Office for Students and validating partners for maintaining academic standards and improving the student academic experience. Any detraction from these standards may lead to disciplinary action under this policy, which adheres to the principles of Natural Justice, the Human Rights Act 1998 [Articles of the Human Rights Act 1998](#), and best practices from the Office of the Independent Adjudicator [Good disciplinary procedures - OIAHE](#). The policy accommodates reasonable adjustments for students with disabilities as per the Equality Act 2010 and is accessible on the College's website and VLE.
- 1.2** The Disciplinary process is comprised of three stages:
- **Stage 1** – Information Resolution with Programme Leader
 - **Stage 2** – Formal Resolution with Programme Partnership
 - **Stage 3** – Formal Resolution with Deputy Executive Director HE and Quality/Nominated representative.
- 1.3** All decisions regarding disciplinary actions will be communicated to students in writing via their student email address. The communication will detail the outcome, reasons for the decision, next steps, and available support services.

2. DEFINITIONS AND SCOPE

- 2.1** Key terms include:
- **Friend:** A fellow student, Students' Union representative, or relative (not in a legal capacity).
 - **Commissioned Work:** Live briefs forming part of HE programmes and which are overseen by the University Centre South Essex/South Essex College Group, whether arranged by the University Centre South Essex/South Essex College Group or student.

- **Conduct:** Encompasses student and staff activities within teaching, learning, and social environments managed by or on behalf of the College.
- **Student:** Anyone enrolled on HE programmes that are level 4 and above at University Centre South Essex/South Essex College Group.
- **Work Placement:** Work-related settings overseen by the University Centre South Essex/South Essex College Group whether arranged by the college or the student.

2.1.1 This policy applies to all students, staff, and activities related to teaching, learning, assessment and work placements at University Centre South Essex/South Essex Colleges Group. It governs conduct, commissioned work and the interactions of students with friends, representatives and placement settings.

3. CONDUCT LEADING TO DISCIPLINARY ACTION

3.1 Students may face disciplinary proceedings for actions including, but not limited to:

- Disruption of College operations, obstruction of staff duties, or interference with other students' studies.
- Breaching policies on Health and Safety, Equality and Diversity, Safeguarding, and IT usage.
- Engaging in conduct that is obstructive, vexatious, or defamatory. Assault, harassment, intimidation, or discriminatory behaviour to any fellow student or member of the College's staff or person visiting the College, or engage in behaviour in contravention of the College's policies on [Equality and Diversity](#), [Safeguarding and Antibullying and Harassment](#).
- Alleged to have breached one or more Statutes, Regulations (including the General Regulations for Students), Student Charter, Codes of Practice, rules, and procedures of our University validating partners in force during your period of registration and any Regulations, rules, and procedures required by any other organisation or institution to which you have access by virtue of your status as a student at our University validating partners.
- Sexual misconduct relates to all unwanted conduct of a sexual nature. This includes, but is not limited to:
 - Sexual harassment (as defined by Section 26 (2) of the Equality Act 2010)

- Unwanted conduct which creates an intimidating, hostile, degrading, humiliating or offensive environment (as defined by the Equality Act 2010)
- Assault (as defined by the Sexual Offences Act 2003)
- Rape (as defined by the Sexual Offences Act 2003)
- Physical unwanted sexual advances (as set out by the Equality and Human Rights Commission: Sexual harassment and the law, 2017)
- Intimidation, or promising resources or benefits in return for sexual favours (as set out by the Equality and Human Rights Commission: Sexual harassment and the law, 2017)
- Distributing private and personal explicit images or video footage of an individual without their consent (as defined by the Criminal Justice and Courts Act 2015)
- Inappropriate use all forms of social media both inside and outside University Centre South Essex/South Essex College Group.
- Damage or misappropriation of property, funds, or University Centre South Essex/South Essex College Group assets.
- Unauthorised access or trespass on University Centre South Essex/South Essex College Group premises.
- Anti-social behaviour, substance misuse, and inappropriate conduct during University Centre South Essex/South Essex College Group related activities.
- Academic misconduct, including plagiarism or gaining unfair advantage. Such offences shall be investigated according to relevant regulations, policies and procedures relating to validating partners'/awarding organisation requirements for programmes validated/awarded by them: [HE Policies, Procedures and Downloads | South Essex College Group](#)

3.2 The offences specified in 3.1 above are not intended as a definitive list. Where there is doubt, the Deputy Executive Director HE and Quality/Nominated representative shall decide the procedure to be followed in a particular situation, having regard to the standards of conduct implied in 2.1 generally.

4. GROSS MISCONDUCT AND DIRECT ESCALATION TO HIGHER STAGE

4.1 Gross misconduct includes severe violations such as violence, sexual misconduct, theft, fraud, and any act endangering others. Such offences may result in immediate suspension (see section 9) pending a disciplinary hearing and possible withdrawal from the programme and expulsion from

the College. Nothing in this policy and procedure shall prevent a student from being suspended immediately on grounds of gross misconduct.

- 4.2** All cases of gross misconduct will be conducted as a stage 3 disciplinary chaired by the Deputy Executive Director of Higher Education and Quality or appointed senior manager.
- 4.3** The College may, in certain circumstances, escalate a case directly to a higher stage of the disciplinary process, without completing earlier stages. This may apply in situations where the alleged behaviour poses a risk to the safety or wellbeing of others, or where the misconduct is considered sufficiently serious (e.g., gross misconduct, harassment, or serious breaches of policy). This action must be agreed by a senior member of staff (HE programme partnership manager/Curriculum lead or Deputy Executive Director/Head of School) and recorded on ProMonitor with justification to ensure fairness and consistency.

5. IMMEDIATE ACTIONS ON MISCONDUCT

- 5.1** South Essex College Group has a duty of care towards all staff and students. Some disciplinary matters may require immediate action. These may include, but are not limited to:
- Cases involving a threat of serious harm to the student and/or others;
 - Cases where the student's mental health is at risk or where the student displays significant distress;
 - Issues of a highly sensitive nature;
 - Cases involving an ongoing threat of serious disruption to other students or to University Centre South Essex/South Essex College Group activities.

In these instances the College Principals, Deputy Executive Director HE and Quality or Designated Safeguarding Lead will temporarily suspend the student (see section 9). This does not conclude the student is guilty of misconduct however, allows the time for a full investigation to be conducted.

- 5.2** Immediate Action - incidents on premises under College control
- Staff may require students to leave an area temporarily. Temporary suspensions must be authorised by the College Principals/Deputy

Executive Director HE or the Designated Safeguarding Lead. (see section 9)

- Immediate suspension applies in cases threatening serious harm, mental health crises, or major disruptions. This measure is precautionary, pending further investigation.
- In these instances the College Principals/Deputy Executive Director HE and Quality/Designated Safeguarding Lead will temporarily suspend the student. This does not conclude the student is guilty of misconduct however, allows the time for a full investigation to be conducted.

- 5.3** Any refusal to leave or similar escalation of the situation will result in support being requested from University Centre South Essex/South Essex College Group's Estates/Security team. The police will be called if the manager or above deem it appropriate.
- 5.4** The request to leave with outline details of the incident leading to it and the process to be followed following the suspension.
- 5.5** Cases of misconduct will be conducted as a stage 3 disciplinary chaired by the Deputy Executive Director of Higher Education and Quality or appointed senior manager.
- 5.6** If the matter is not referred to the police or the police refer the matter back to College/wider community internal action only, it should be dealt with promptly utilising the procedures indicated in this section/section 6 or 9 below, but with an awareness of the particular problems around cases of an interpersonal nature (e.g. student allegations about fellow students). In such instances, a counter allegation is often offered/made as a defence. Hence, suspension (if the police are not involved) should be used based on the civil law test of 'balance of probabilities' i.e more likely than not/ 51% or more percent likelihood).

6. PROCEDURES FOR MISCONDUCT INVOLVING EXTERNAL AUTHORITIES

- 6.1** In cases involving police or external parties:
- The Deputy Executive Director HE/Appointed senior manager coordinates with University Centre South Essex/South Essex College Group authorities on police involvement.
 - If the police are involved, University Centre South Essex/South Essex College Group investigations pause pending police advice.

- If not referred to the police, University Centre South Essex/South Essex College Group proceeds with internal processes based on a "balance of probabilities" standard.

7. VEXATIOUS CLAIMS AND/OR UNREASONABLE DEMANDS

- 7.1** The policy guards against vexatious claims or unreasonable demands that could interfere with fair investigations. Threats of premature disclosure or actions to unduly influence investigations are subject to disciplinary measures, and disclosures may be treated as defamation

8. WHISTLEBLOWING / PUBLIC INTEREST DISCLOSURE

- 8.1** Disclosures made internally or externally by students (including those who are staff or on placement) are handled per the College's Whistleblowing Policy. Protected disclosures are managed in consultation with the Deputy Executive Director HE and Quality, Designated Safeguarding Lead and Human Resources.

9. INITIAL AND EXTENDED SUSPENSION

- 9.1** Initial suspensions are authorised by the College Principals/Deputy Executive Director HE and Quality or the Designated Safeguarding Lead, with extended suspensions overseen by the Executive Director of Foundation Learning and Additional Learning Support.
- 9.2** Within three working days of the initial suspension, written confirmation by post or email must be sent to the students registered address/student email address, explaining why they have been suspended and for how long. Extensions to suspension should also be communicated clearly and promptly in writing, once the decision to extend suspension has been made
- 9.3** Where the College has been notified that the police are involved, proceedings may be deferred until police guidance concerning further legal action is received. In such cases, an explanatory meeting will be held within 72 hours to keep relevant parties informed. If the student is already suspended by the College, this may be extended, and the student will be notified accordingly.

10. STAGE 1: INFORMAL RESOLUTION WITH PROGRAMME LEADER

10.1 Initial Investigation and Informal Resolution:

- When an allegation of misconduct arises, the Programme Leader takes the lead in the initial stage. This involves an informal approach to resolve minor disciplinary issues promptly.
- The focus is on early, informal resolutions without progressing to formal procedures.
- The Programme Leader (or alternative programme leader) ensures that the process aims to rectify the issue rather than punish the student.

10.2 Potential outcomes could be: mediation, apologies, compensation for damages, verbal warning and/or agreements on future behaviour standards, referral to stage 2 or 3.

10.3 Outcome and Record-Keeping: Outcomes of the informal resolution are recorded on the student's file in ProMonitor and sent to the student email address within 5 working days and retained while the student is enrolled.

11. STAGE 2: FORMAL RESOLUTION WITH PROGRAMME PARTNERSHIP MANAGER

11.1 Escalation to Formal Proceedings:

- If informal resolution is unsuccessful or inappropriate due to the seriousness of the misconduct, the matter escalates to the Programme Partnership Manager.
- The Programme Partnership Manager leads a formal investigation and organises a disciplinary hearing if needed.

11.2 Formal Disciplinary Hearing:

- The programme leader will begin the initial investigation within 2 working days of receiving the allegation of misconduct
- The student is informed in writing of the allegations and the scheduled date for the panel meeting at least 5 working days before the hearing. Relevant documents are provided at least 2 days before the hearing.
- The hearing panel typically includes the Programme Partnership Manager (or alternative senior member of staff), the Investigating Manager, and a member of the ALS or Safeguarding Team as necessary.

11.3 Conduct and Outcome:

- The Programme Partnership Manager oversees the formal hearing, ensuring the student has an opportunity to present their case, challenge evidence, and understand potential sanctions.
- Potential outcomes: mediation, apologies, compensation for damages, verbal warning, written warning and/or agreements on future behaviour standards, referral to stage 3, invoke the fitness to practice/study procedure.
- A record of the hearing and decisions is maintained for up to 5 years or for the duration of the student's registration, whichever is shorter.
- Following the panel meeting the decision will be recorded on ProMonitor and communicated to the student in writing via their student email address within 5 working days.
- Students who are dissatisfied with a decision can make a non-academic appeal in writing under HE students compliments and complaints policy which is located here: [HE Policies, Procedures and Downloads | South Essex College](#) under Key HE Information.

12. STAGE 3: FORMAL RESOLUTION WITH EXECUTIVE DIRECTOR

12.1 Final Formal Resolution and Hearing:

- For serious cases, gross misconduct, misconduct/persistent misconduct, or where previous warnings have not led to a satisfactory outcome, the matter progresses to the final stage, overseen by the Deputy Executive Director HE and Quality or an Executive Director.
- The Deputy Executive Director HE and Quality or an Executive Director chairs a disciplinary hearing involving serious allegations or cases requiring a heightened level of review.

12.2 Disciplinary Hearing Panel:

- The panel is convened by the Deputy Executive Director HE and Quality/Executive Director and typically includes senior members like the Deputy Executive Director HE and Quality/Executive Director (as Chair), and relevant staff from ALS or Safeguarding.
- The chair ensures the procedure is rigorous, fair, and considers all relevant factors, particularly for severe misconduct.
- The date, time and place of the meeting shall normally be notified in writing to the student's College email address and contact address at least five working days before the meeting, unless there

are good reasons for taking more immediate action.

- The student may, if they wish, be accompanied by a friend, family member or Student Union member, provided that the Student Services Officer (Behaviour Improvement & Customer Service) is informed of their identity at least two working days before the meeting.
- It is the responsibility of the student to inform any attending third party of the date, time and location of the meeting. The meeting may proceed in the student's absence if, having been properly invited, the student fails to attend.

12.3 Final Decision and Sanctions:

- Potential outcomes: Final written warning, suspension, expulsion, invoke the fitness to study procedure.
- The chair has the authority to recommend severe sanctions such as suspension or expulsion, subject to review by the Senior Leadership Team.
- Following the meeting, the Student Services Officer (Behaviour Improvement & Customer Service) must; make a written record of the meeting and outcome is communicated in writing to the student via their student email address with agreed actions and is to be recorded on student's Promonitor record within 5 days of the meeting

Appeals must be made within 10 working days of receiving the outcome to Yoursay@southessex.ac.uk

- 12.4** A student who has been under continuous suspension for two weeks or more may appeal to the Deputy Executive Director Higher Education & Quality by emailing for the attention of the college principal to behaviour@southessex.ac.uk for the matter to be expedited unless a disciplinary hearing has been held or the date for a hearing set. If a disciplinary hearing is to take place the date should normally be notified to the student within three weeks of the initial suspension.

- 12.5** In cases where a decision is made for the student to withdraw or intermit, University Centre South Essex/South Essex College Group will provide guidance on the next steps, including potential readmission processes and any conditions that must be met for a future return to study.

- 12.6** University Centre South Essex/South Essex College Group recognises that, in some cases, the most appropriate course of action is to withdraw a student or an intermission. In these cases, the student's fee liability is

adjusted accordingly. For more details, please refer to the Higher Education Fee Policy 2024-2025 (including fee liability, refunds, and compensation).

13. MENTAL ILLNESS/DISABILITY

- 13.1** If a student facing misconduct allegations appears to have mental illness or instability, proceedings may be adjourned to obtain a medical report, with advice from the Designated Safeguarding Lead, Head of Additional Learning Support, or Senior Learning Mentor.
- 13.2** If medical evidence confirms mental illness or instability, proceedings may be suspended, terminated, or deferred, considering the severity of the incident. Conditions for deferment or suspension may include seeking medical treatment, or the student may be assessed under the Higher Education Fitness to Study Policy.
- 13.3** If a student's behaviour, due to mental health or disability, disrupts others, they should be informed respectfully, and appropriate support (e.g., mentoring or mediation) may be implemented.
- 13.4** In severe cases, the college may use the Fitness to Study process instead of disciplinary action if the student's behaviour significantly affects others.
- 13.5** If a disabled student breaches the code of conduct for reasons unrelated to their disability, standard disciplinary action may proceed, with reasonable adjustments considered to support the student.
- 13.6** For academic misconduct unrelated to a disability, we acknowledge their fairness in the process may require making accommodations/reasonable adjustments (e.g., modifications to oral assessments or panel accommodations) to ensure the student can fully participate in and understand the proceedings.
- 13.7** Students will be provided with a written summary of available support services and reasonable adjustments and the start of any disciplinary proceedings where mental health concerns are identified.
- 13.8** During disciplinary hearing, specific accommodations may include scheduled breaks, access to a quiet waiting areas and the presence of a support person such as a mental health advisor or mentor.

14. CONDUCTING DISCIPLINARY HEARINGS

14.1 A record shall be kept of a disciplinary hearing (recorded on ProMonitor, including the report of the investigation and of the action taken in consequence of the hearing. If misconduct is established, the hearing record and the detail of action taken shall be held for the duration of the student's registration (including any periods of intermission) up to a maximum of 5 years.

14.2 In all cases:

- The student must know the case against them and the likely sanctions should the misconduct be proven.
- Relevant evidence and documents must be disclosed two working days in advance of the hearing.
- The student may bring one person (friend) to the panel meeting for support who is not in a legal capacity or they may ask a member of the HE support team who is unrelated to the case to attend.
- Students will be permitted to make representations and question the evidence in a manner determined by the Chair of the Panel who shall be the final arbiter of the procedure to be followed at the hearing.
- There is no absolute right for a student to require a witness to attend a hearing. The Chair has the discretion to allow a witness's written statement as evidence, or to arrange for the panel to interview them separately (in camera) if they believe it to be in the interest of natural justice to do so. However, the more serious the allegation and the more contentious the statement the greater the presumption should be towards witness attendance.
- A student or staff member or their representatives will be allowed to challenge evidence through questions for witnesses, which should formally be directed through the Chair of the Panel. Confrontational or aggressive cross-examination will not be permitted and any restrictions shall be at the sole discretion of the Chair.

15. DISCIPLINARY HEARING PANEL DECISIONS

15.1 The Chair must be satisfied the student committed the alleged misconduct. The panel applies a "balance of probabilities" standard, with a higher standard for more serious allegations.

15.2 The Chair has a casting vote.

15.3 If new misconduct emerges during the hearing, the panel may find the student blameworthy or recommend further investigation.

- 15.4** Possible sanctions include apologies, warnings, financial compensation, suspension, or expulsion. Exclusion from facilities for long periods is not acceptable unless tied to suspension, expulsion or registration withdrawal. The student should be informed when they can return to the College.
- 15.5** Recommendations for expulsion are reviewed by the Principal or Senior Leadership Team within 15 working days, with the student notified in writing.

16. APPEALS

- 16.1** Students who are dissatisfied with a decision can make a non-academic complaint/appeal in writing under HE students compliments and complaints policy which is located here [HE Policies, Procedures and Downloads | South Essex College](#) under Key HE Information.
- 16.2** Students may refer the case to the Office of the Independent Adjudicator within 12 months if the appeal is not upheld. [How to complain to us - OIAHE](#)

17. RIGHT TO POSTPONE

- 17.1** Students may request postponements for hearings on reasonable grounds. Requests should normally be made at least 48 hours in advance. In exceptional circumstances, shorter notice may be accepted at the discretion of University Centre South Essex.

18. FAILURE TO ATTEND

- 1.1** Students must make reasonable efforts to attend hearings. Failure to attend without good reason may result in the hearing proceeding in their absence. Students should notify the College of their inability to attend or of any delays as soon as possible. Notification should normally be made at least 48 hours before the scheduled hearing. In exceptional circumstances, shorter notice may be accepted at the discretion of University Centre South Essex.

19 Policy Links

- Intermission Policy and Procedure
- Fitness to Study Policy and Procedure
- Fitness to Practice Policy and Procedure

- HE Student Attendance and Engagement Policy and Procedure
- UCSE Student General Terms and Conditions
- HE Fees Policy
- Freedom of Expression Policy

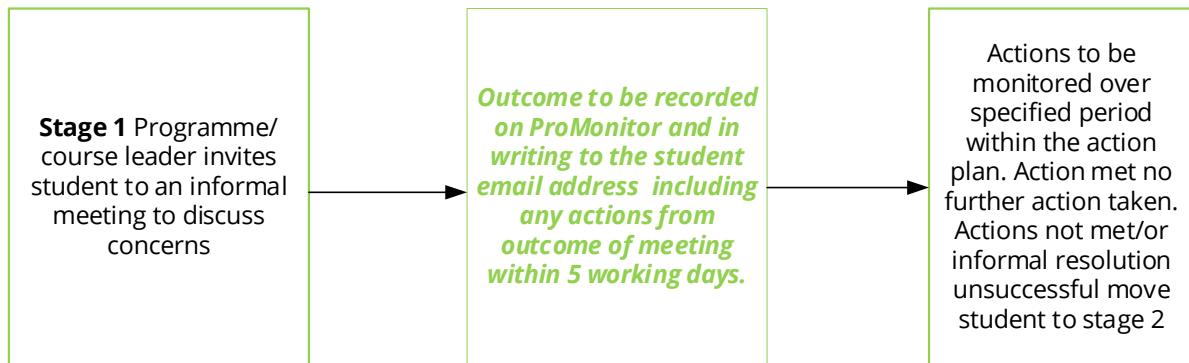
All Policies are Available on the College Website: [HE Policies and Procedures | South Essex College Group](#)

APPENDIX ONE: STUDENT CHARTER

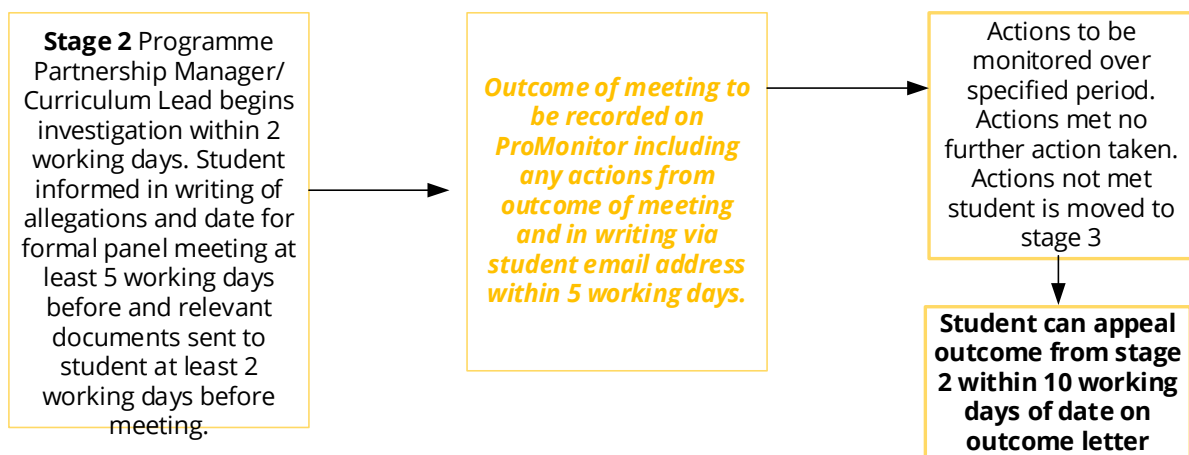
For more information on the University Centre Student Charter see the link below
<https://www.southessex.ac.uk/about-us/student-charter>

APPENDIX TWO: STAGES FLOWCHART

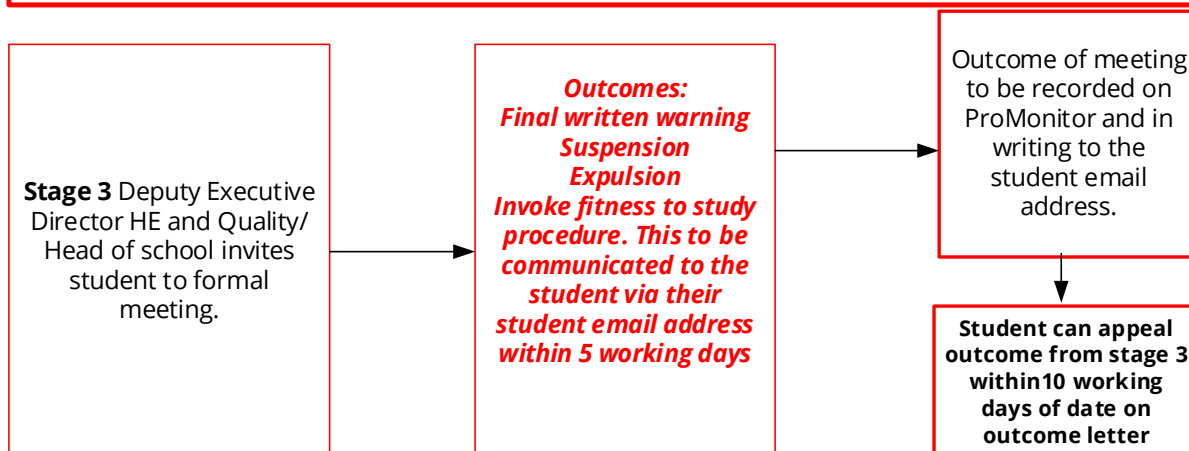
Stage One



Stage Two



Stage Three



APPENDIX 3: EQUALITY IMPACT ASSESSMENT

Date EIA completed.	July 2025			
Name of person responsible for completing the EIA	Sharon Dunphy			
Role of person responsible for completing the EIA	Deputy Executive Director Higher Education and Quality			
Who is affected by the policy / decision / change	Students and Staff employed			
What's the reason for the new policy / change in policy, practice, process etc.	This policy has been revised and now includes three stages.			
Protected Characteristic	What degree of impact does the change have (score 1-5 with one being lowest impact and 5 being the highest)	What is a potential positive, neutral or negative impact? Include what you have considered. Are there any barriers?	What action will be taken to address any negative impact or remove any potential barriers identified? Note if we are not able to resolve anything identified.	Date by when and whom will this action be taken.
Age	1	None Identified		
Disability	1	None Identified	Reasonable adjustments will be provided for students with disabilities, including alternative formats and support during proceedings	Ongoing programme partnership manager
Gender (Sex)	1	None Identified		
Gender Reassignment	1	None Identified		
Marriage or Civil Partnership	1	None Identified		
Pregnancy / Maternity	1	None Identified		
Race	1	None Identified		
Religion or Religious Belief	1	None Identified		
Sexual Orientation	1	None Identified		
Any other element that needs to be considered.	1	None Identified		

APPENDIX FOUR : Online and Distance Learning and Behaviour Statement

Online and Distance Learning Behaviour Statement

Students undertaking online and distance learning are required to adhere to the same standards of conduct, professionalism, and respect as expected within face-to-face learning environments. The following principles set out the expectations for appropriate behaviour in online learning spaces:

1. Respectful Communication

- Students must communicate in a courteous, professional, and inclusive manner across all online platforms, including virtual classrooms, discussion forums, and email.
- Offensive, discriminatory, or inappropriate language or behaviour will not be tolerated.
- Students should respect the right of others to contribute and must engage constructively in dialogue.

2. Academic Integrity

- All work submitted must be the student's own and appropriately reference sources in accordance with institutional regulations.
- The sharing, reproduction, or unauthorised distribution of assessment materials is prohibited.
- Students must respect copyright and intellectual property rights when using or reproducing digital materials.

3. Engagement and Participation

- Students are expected to attend scheduled online sessions punctually and to participate actively, as required by the programme of study.
- Regular engagement with College email accounts and the Virtual Learning Environment (VLE) is required to ensure awareness of academic information and communications.
- Where group work is required, students must contribute responsibly and equitably.

4. Professional Online Conduct

- Students must present themselves in a manner appropriate to a formal learning environment, including during live online sessions.
- Cameras and microphones should be used in line with tutor guidance, and students should ensure their contributions are appropriate to the learning context.
- Learning should be conducted in an environment that minimises disruption to the student and their peers.

5. Digital Responsibility

- Students must safeguard personal data and respect the privacy and confidentiality of peers and staff.
- Recording, screen-capturing, or sharing online sessions without explicit prior consent is strictly prohibited.
- Institutional systems, platforms, and resources must be used solely for educational purposes and in line with IT policies.

6. Support and Wellbeing

- Students should seek support if experiencing challenges with online learning, including access to technology or wellbeing concerns.
- Consideration should be shown for the diverse needs and circumstances of peers within the online environment.
- Students are encouraged to maintain an appropriate balance between study, rest, and wellbeing.

This Statement should be read in conjunction with the College's Student Engagement Policy, HE Student Disciplinary Policy, Fitness to Study Policy and Fitness to Practice Policy.

Non compliance with this statement may result in action under the College's Student Conduct and Disciplinary Procedures, and where appropriate, may also invoke other related policies.



