STUDENT DISCIPLINARY POLICY
(NON-ACADEMIC)

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1 Purpose and principles

1.1 This policy explains how the Engineering College of Technology (ECT) addresses non-academic misconduct by students to maintain a safe, respectful learning community. It is guided by principles of accessibility, fairness, impartiality, proportionality, timeliness and confidentiality. ECT carries the burden of proof rather than the student, and decisions are made on the balance of probabilities, based on evidence. Information is shared on a need-to-know basis. Investigators, Chairs and panel members will be trained and act independently of earlier stages.

2 Scope

2.1 This policy applies to all registered students and (where specified) recent former students. It covers conduct that affects the ECT community or reputation, including use of the virtual learning environment (VLE), live online classes, messaging channels and forums; conduct on social media; conduct during placements or at a partner and conduct which impacts members of our community or ECT and its reputation.

3 Expected standards and definitions

3.1 Students are expected to treat others with dignity and respect and to comply with the Student Code of Conduct and Digital Teaching and IT Acceptable Use Policy. Non-academic misconduct includes (non-exhaustively): harassment, bullying, hate incidents, threatening or abusive behaviour (including online); file sharing or distribution of ECT course materials/ intellectual property through digital networking technology; sexual misconduct; physical violence; damage to property; misuse of IT systems and online platforms; unauthorised access or interference with services; behaviour likely to bring the College into disrepute; and conduct which may amount to a criminal offence. Allegations will be screened as minor or major with proportionate rules and outcomes.

3.2 Academic misconduct is covered by a separate ***Academic Honesty and Misconduct Policy.*** Allegations about staff are handled under staff HR procedures.

4 Levels of Non-Academic Misconduct

4.1 To ensure disciplinary matters are managed fairly, proportionately, and consistently, ECT classifies non-academic misconduct into three levels based on seriousness, impact, intent, risk, and any pattern of behaviour. This classification informs the route a case will follow through the disciplinary process and the range of possible outcomes.

4.2 This framework does not replace the three stages of investigation and decision-making (Sections 8.3–8.10) but clarifies which types of concerns are normally addressed at each stage.

Level 1 – Low-Level Misconduct (Minor)

4.3 Low-level misconduct refers to behaviour which breaches ECT expectations but has limited impact, involves no significant risk, and is typically a first occurrence.

Examples include (non-exhaustive):

- Minor disruption or low-level disrespectful behaviour in online or live settings
- Inappropriate but non-threatening communications
- Minor misuse of IT systems (e.g., inappropriate posts, accidental misuse)
- Low-value accidental damage to ECT property or digital environments
- Breaches of etiquette or digital conduct rules with limited impact

How cases are managed:

- Normally addressed at Stage 1: Preliminary Investigation
- Possible outcomes: advice, an educational sanction, written warning, or proportionate penalty
- A panel is not usually required unless the facts are disputed or behaviour escalates

Level 2 – Medium-Level Misconduct (Serious)

4.4 Medium-level misconduct refers to behaviour that has significant impact, may involve repeated issues, or presents greater risk to individuals or the ECT community.

Examples include (non-exhaustive):

- Harassment, bullying, or discriminatory behaviour that is more than minor in impact
- Repeated low-level misconduct or patterns of concerning behaviour
- Significant misuse of digital systems, including sharing restricted ECT content
- Threatening, aggressive, or intimidating behaviour
- Conduct likely to bring ECT into disrepute

How cases are managed:

- Begins at Stage 1, but will normally progress to Stage 2: Formal Investigation and Panel
- Appropriate where outcomes could include formal warnings, access restrictions, removal from representative roles, or temporary suspension (as per Section 8.5)
- A panel hearing is convened where facts are disputed or sanctions may significantly affect the student's status

Level 3 – High-Level or Gross Misconduct (Major)

4.5 High-level misconduct refers to behaviour that causes or risks serious harm, carries major safeguarding implications, has serious reputational impact, or may constitute a criminal offence.

Examples include (non-exhaustive):

- Physical violence or credible threats of violence
- Sexual misconduct (online or offline)
- Hate-motivated behaviour or serious harassment
- Serious safeguarding concerns, including stalking, coercion, or exploitation
- Conduct amounting to a criminal offence

- Severe or malicious misuse of IT systems
- Serious misconduct during placements affecting ECT partners
- Repeated Level 2 misconduct

How cases are managed:

- Enter the process at Stage 1, but normally escalated immediately to Stage 2: Formal Investigation and Panel
- Precautionary measures may be applied at any point (as per Section 6) to manage risk while investigations proceed
- Possible sanctions include suspension, or recommendation of expulsion to the Academic Board (Section 8.5)

5 Relationships with other procedures

5.1 This policy interfaces with the following policies and procedures:

Equality, Diversity and Inclusion Strategy
Harassment and Sexual Misconduct Policy
Digital Teaching and IT Acceptable Use Policy
Intellectual Property Policy for Students
Freedom of Speech Policy
Prevent Policy
Safeguarding Policy and Procedures

5.2 The Student Experience Manager will explain which process applies, the order of processes and any pauses that may be required.

5.3 Students can find support information via the ECT website.

6 Reporting, triage and support

6.1 Concerns may be reported by any member of the community by sending notification to hesupport@ect.ac.uk The Student Experience Manager will triage reports, assess immediate risk and safeguarding needs, and signpost support to all parties. They will make reasonable adjustments where appropriate. Triage includes safeguarding considerations and a check for conflicts of interest. Parties are signposted to independent advice.

7 Precautionary measures (not a finding of guilt)

7.1 Where necessary to manage risk or prevent interference with an investigation, ECT may impose proportionate, time-limited measures pending the outcome (e.g. no-contact requirements; restrictions on access to particular modules, forums or live sessions; conditions on attendance; temporary exclusion from specific services; exceptionally, temporary suspension). Measures will be confirmed in writing, kept under regular review, and may be challenged by the student.

7.2 Measures are based on necessity and proportionality with reasons recorded. They will be reviewed at stated intervals (normally every 30 days) and may be challenged in writing.

8 Interface with criminal processes

7.1 Where behaviour may also constitute a criminal offence, the safety and wishes of the reporting student are paramount. We will support their choice about contacting the police, subject to risk considerations. The criminal justice process normally takes priority. ECT will not investigate whilst a police investigation or prosecution is active. However, necessary precautionary measures may be taken. Once it is appropriate to proceed with the investigation, we may consider the matter under this policy on the balance of probabilities, regardless of the criminal outcome. Whilst criminal processes are active, ECT will avoid actions that could prejudice proceedings and will only share information in line with law and safeguarding duties.

9 Stages of the process

9.1 Processes are proportionate to the circumstances. We normally aim to complete the preliminary investigation and formal stage within 60 calendar days of notifying the student, and any appeal within 30 days, keeping parties updated where delays are unavoidable. The Student Experience Manager will communicate the outcome to students at each stage of the process.

9.2 Unless stated otherwise we will give at least 10 working days' notice of a hearing. Evidence will be shared 5 working days before the hearing. Appeals must be lodged within 10 working days of the written outcome and appeal decisions will normally be issued within 20 working days of receipt. Where time limits are varied, reasons will be provided to all parties in writing.

Stage 1: Preliminary investigation

9.3 The Head of Academics and Operations will review the evidence provided. If there is sufficient evidence of a case of unacceptable behaviour ECT will notify the student in writing of the allegation(s), relevant standards and available evidence, and invite a response. Following receipt of a response, or 5 working days whichever is sooner, the Head Academics and Operations or nominee may appoint an investigator with no prior involvement who will consider the case. A report will be prepared by the investigator for the Head of Academics and Operations or nominee who will review the findings and decide the next steps. Outcomes may include: no further action; advice or a written warning with a proportionate penalty for minor admitted misconduct (with clarity on any record); or referral to the formal stage. An outcome letter will set out reasons, actions and any right of appeal.

9.4 Where minor misconduct is admitted, a proportionate outcome may be issued with the right of appeal. For example, a warning may be given along with an educational sanction.

Stage 2: Formal investigation and decision

9.5 The Head of Academics and Operations or nominee will contact the student to arrange attendance at a Disciplinary Panel. If an agreeable date cannot be arranged with the student within 30 working days, the hearing will go ahead on the basis that the student denies the allegation. If the student does not confirm attendance at the hearing, the Panel will still proceed providing evidence is available that all reasonable attempts have been made to contact the student. At least 10 working days before the hearing, the Head of Academics and Operations or nominee will give notice to the person making the complaint that a Panel will be meeting to consider the complaint. It will explain that the complainant will be expected to attend in person or virtually.

9.6 At least 10 working days before the hearing, the Head of Academics and Operations or nominee will give notice to the student of:

a. The complaint details
b. A copy of the ECT Code of Conduct and relevant policies
c. The name(s) of the person or people making the complaint
d. The names of any witnesses to be called
e. The time, date and location of the hearing
f. The student's right to attend the hearing in person or virtually
g. The right to be accompanied by a friend or a student representative
h. The student's right to submit a written statement for the panel to consider that must be received at least 5 working days before the hearing
i. The student's responsibility is to give details of any witnesses they wish to call
j. The student's responsibility is to inform the Head of Academics and Operations or nominee if they wish to be accompanied by a friend or student representative
k. At least 5 working days before the panel hearing, the Head of Academics and Operations will provide the student and the person making the complaint with a copy of any documents to be placed before the Panel

9.7 A trained investigator will be appointed to further clarify scope, gather evidence and prepare a report that will be shared with the student. For serious cases, disputed facts, or potentially severe outcomes, a Panel hearing will be convened. Attendance by video may be permitted for parties and witnesses. The student may be accompanied and information should be notified in advance.

9.8 Panels will be impartial and made up of at least two members nominated by the Head of Academics and Operations or nominee who will also appoint the Chair. A secretary will also be appointed who will be responsible for record keeping. Recordings are not permitted unless explicitly permitted by the Head of Operations and Academics or nominee, as part of agreed adjustments for a disabled participant. All participants are notified that a recording is taking place and a digital transcription will be provided to all participants. Members of the panel may be drawn from ECT staff who are not involved with the case or may be independent of ECT. The composition and seniority of the panel will be proportionate to the level of alleged

misconduct, with more serious cases requiring the involvement of appropriately senior staff or independent members as determined by the Head of Academics and Operations or nominee.

9.9 The Chair of the panel will decide whether to call witnesses jointly or individually. Time limits may be set by the Panel on any verbal presentations and time spent questioning witnesses.

9.10 Evidence and representation will be taken in the following order:

a. From the investigator who carried out the initial investigation
b. From the person making the complaint
c. From witnesses on behalf of the complainant
d. From the student the complaint is about
e. From witnesses on behalf of the student
f. Final statement from the person making the complaint
g. Final statement from the student about whom the complaint is about
h. Final statement from the Head of Operations and Academics or nominee

9.11 The Panel will sit in private to make decisions and the secretary will be present. At the end of the Panel hearing, the members will agree to their decision. A written decision will explain findings, reasons and any penalty within 5 working days of the panel's hearing.

9.12 The possible outcomes from the Disciplinary Panel are as follows:

a. Decide there is no case
b. Issue a verbal or written warning together with appropriate sanctions or remedial measures. Mitigating and aggravating factors will be considered. Previous misconduct is considered only after a finding is made and only for the purpose of setting penalty.
c. Suspend the student's studies for a specified period of time, usually this will not exceed 6 months
d. Make a recommendation of expulsion to the Head of Engineering
e. If expulsion is recommended, the Head of Academics and Operations or nominee, shall arrange for referral to the relevant Assessment Board to consider whether any credit should be awarded or cancelled
f. Where appropriate, student representatives subject to disciplinary proceedings may be removed their role as a student representative
g. Propose any other suitable remedy subject to agreement by the Head of Engineering

9.13 The student may choose to appeal the outcome of the Stage 2 process. A request should be made within 10 working days of the written appeal decision.

9.14 Legal representatives do not have an automatic right to attend. The Chair may permit this in exceptional cases where fairness requires it. Examples include complex facts, severe potential outcomes and disability and communication needs. If engaged, ECT reserves the right to appoint its own legal representative.

Stage 3 : Appeal

9.15 Students may only appeal findings and/or penalties on one or more of the following grounds:

a. material procedural irregularity;
b. the decision was not reasonable in all the circumstances;
c. new evidence, if for good reason it was not able to be presented earlier;
d. bias or appearance of bias;
e. disproportionate penalty.

9.16 Students' request should include full details on their grounds for appeal. The Head of Academics and Operations or nominee will acknowledge the appeal within two working days. The Head of Academics and Operations or nominee will appoint a reviewer not previously involved in the investigation to consider the issues raised in the appeal. The reviewer may request additional information from participants. They will be given 5 working days to respond.

9.17 The outcomes available are:

a. That the appeal be upheld in whole or in part and a resolution offered
b. That the appeal be rejected

9.18 The Appeal decision is communicated to the Head of Academics and Operations and the Head of Engineering. The decision of the appeal review is final.

9.19 The student will be notified in writing of the outcome of the review within 20 working days of receipt of the review request.

9.20 A Completion of Procedures letter is issued at the end of the process. The appeal outcomes letter will signpost the Office of the Independent Adjudicator's review process for those dissatisfied with the outcomes.

10 How Misconduct Levels Inform the Disciplinary Process

10.1 The three-stage disciplinary process applies to all cases. The level of misconduct guides which stages are normally followed and whether escalation is required. This ensures proportionality, protects student rights, and supports timely resolution.

Level 1 Cases (Minor)

- Normally resolved within Stage 1: Preliminary Investigation
- Investigator may issue a written warning, educational sanction, or proportionate penalty
- Student retains the right of appeal under Stage 3

Level 2 Cases (Serious)

- Begin at Stage 1, but are usually referred to Stage 2: Formal Investigation and Panel
- Appropriate where:

  - Impact is significant
  - Facts are disputed
  - Pattern of behaviour has emerged
  - Sanctions may restrict access or engagement
- Panel determines outcomes based on evidence and proportionality

Level 3 Cases (Major)

- Notifiable at Stage 1, with immediate consideration of any required precautionary measures
- Normally progress directly to Stage 2: Formal Panel due to seriousness and safeguarding considerations
- Panel may recommend suspension or expulsion in line with Section 8.12

Escalation Between Levels

- Cases may be re-classified where new information emerges
- Repeated Level 1 issues may escalate to Level 2
- Persistent or aggravated Level 2 issues may escalate to Level 3
- Escalation will always be explained in writing with reasons

11 Evidence, hearings and representation

11.1 ECT will share, in good time, the information the decision-maker will consider. Digital evidence (e.g., chat logs, VLE data, recordings) must be preserved and handled securely. Hearings will follow published ground rules (order of proceedings, questioning, reasonable time limits). Anonymous witness statements are used only where strictly necessary and fair. We will make reasonable adjustments to evidence-sharing and hearing arrangements where required, ensuring no participant is disadvantaged.

11.2 Hearings follow published ground rules such as order, questioning via the Chair and reasonable time limits. All parties will normally hear and may respond to the evidence considered.

12 Support, adjustments and wellbeing

12.1 We will signpost independent advice and support for all parties and consider reasonable adjustments (e.g., accessible formats, additional time, alternative meeting arrangements). Students subject to precautionary measures or suspension will receive information on academic and wellbeing support.

12.2 Requests for reasonable adjustments should be made to the Student Experience Manager with supporting evidence where applicable. Decisions will be confirmed in writing.

13 Multiple-student or group cases

13.1 Where several students are implicated in related allegations, cases may be heard together for efficiency and consistency, while preserving each student's right to present their case and to present, privately, individual mitigation where appropriate.

14 Communication and accessibility

14.1 Key information will be written in clear, plain language. ECT will provide reasonable notice for meetings and deadlines for submissions. Documents can be provided in accessible formats on request, and reasonable adjustments will be considered throughout.

14.2 Where timescales are extended, parties will receive periodic updates on progress and revised target dates.

15 Data protection, confidentiality and records

15.1 We handle personal data lawfully and maintain confidentiality as far as possible. Records of decisions and reasons will be kept in accordance with the published standards. We may disclose information where required by law, safeguarding duties or regulatory obligations.

15.2 Outcome letters will set out decisions, reasons, penalty, right/grounds to appeal and where to access support.

15.3 Complainants will be told whether the allegation was upheld, and a summary of the findings relevant to them. They will also be informed of any actions or sanctions that directly relate to their safety or wellbeing (e.g. no-contact orders, access restrictions). Complainants will not be informed of detailed sanctions that relate solely to the student's personal circumstances, sensitive or confidential personal data about the student, or information that would prejudice other ongoing processes.

16 Governance, assurance and monitoring

16.1 Executive ownership sits with the Head of Academics and Operations. An annual report to the Governance Board will provide assurance on the volume and type of cases; use and review of precautionary measures; timeliness; outcomes and appeal rates; equality impacts; use of precautionary measures, E6-related metrics and training completion rates for investigators and panel members. Lessons learned and actions taken will be reviewed. The policy will be reviewed at least annually with student input and external reference points and updated as necessary.

17 Roles and accountability

17.1 Post-holders must declare conflicts of interest. Panel members must have no prior involvement in the case. Independent members may be appointed.

- Investigating Officer: conducts impartial enquiries and prepares reports.
- Student Experience Manager: triages reports, manages communication, and coordinates support and precautionary measures.
- Panel Chair/Decision-maker ensures a fair process and issues reasoned decisions.
- Appeal Decision-maker: independent of earlier stages.
- Students: engage in the process, attend meetings as required and comply with reasonable instructions and precautionary measures.

18 Time limits and extensions

18.1 Indicative timeframes are set out in section 8. Where extensions are necessary (e.g. due to criminal processes, third-party availability, complex evidence), we will notify students of the reasons and revised target dates. Students may request reasonable extensions to submission deadlines with reasons and evidence. Decisions will be confirmed in writing.

19 Publication and version control

19.1 This policy will be published on ECT's website. Major changes will be approved by the Academic Board and reported to the Governance Board.

Document Control		
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Engineering College of Technology.