

### ***Student Misconduct & Professional Conduct Policy and Procedures***

*The School's disciplinary procedures are currently under review and we are in the process of consulting with staff and students. We are looking to implement new non-academic misconduct & professional conduct procedures during the 2017-18 academic year.*

*Until further notice, the 2016-17 disciplinary procedures apply to all registered students of Central School of Ballet and the according 'non-academic appeals' procedure is also in effect at this time for all cases which fall under the 2016-17 disciplinary procedures.*

### **2016-17 disciplinary procedures**

The School expects that most breaches of the codes of conduct will, in the first instance, be resolved informally, as outlined below. If serious misconduct is alleged, the formal disciplinary process may be applied immediately. Less serious incidents which are repeated, and which have not been successfully resolved through informal processes, will also be addressed through the formal disciplinary procedure.

When the formal procedure is invoked, the School ensures that the process is conducted fairly, in accordance with the published procedure, and as promptly as possible. A student called to a formal disciplinary interview has the right to be accompanied by a friend, a student representative, or another person not acting in a professional capacity. The student will be notified in advance of the nature of the alleged misconduct and supporting evidence, and of the date, time and location of the meeting, and allowed reasonable time to prepare for the hearing.

### **Reasons for disciplinary action**

Any breach of the School's codes of behaviour is a form of misconduct. Isolated incidents, which do not immediately affect the safety of the student, of others, or of property or resources will normally be addressed informally in the first instance. Indicative examples include unexplained poor attendance, breaches of the clothing regulations, isolated incidents of disruptive behaviour and the use of language which is offensive but not threatening. Repeated breaches of these codes will normally lead to formal disciplinary action.

## **Serious misconduct**

The following is an indicative rather than a complete list of conduct which may be regarded as serious misconduct, and may cause the formal disciplinary procedure to be invoked:

- conduct which prevents or disrupts teaching, learning, assessment or administration at the School or the work of an organisation where the student is placed as part of a programme of study;
- conduct likely to cause loss, damage or harm to the School, its staff or students, or members of the public on the School's premises;
- theft of, deliberate damage to, or abuse of the School's property (including misuse of computers or the Internet) or that of any other organisation where the student is placed as part of a programme of study;
- aggressive, threatening, indecent, disorderly, offensive or other unreasonable behaviour or language;
- any form of harassment;
- any form of bullying, including homophobic or racist bullying, or inappropriate use of language or behaviour.
- incapacity through alcohol.
- being under the influence of illegal drugs or other deliberately misused substances.
- any criminal offence committed on or off the premises which is detrimental to the good name of the School.
- Religious belief will not be used to justify discriminatory behaviour and instances of this nature will be dealt with under schools' disciplinary procedures.

## **Informal approach**

- Minor instances of misconduct (e.g. lateness, unauthorised absence, wrong clothing, behaviour that interrupts learning experience of self and/or others) will, in the first instance, be addressed informally.
- If a student is behaving in an inappropriate manner, the relevant member of staff will advise them informally that they are breaking the code of conduct.
- If the behaviour continues, or if the member of staff deems the offence to be serious, he or she will give the student an oral warning of misconduct and exclude the student from the class taking place. The student will then report to the Senior School Admissions & Administration Manager who will issue an exclusion slip to the student. At the end of the class from which the student has been excluded the student should return to see the teacher with the exclusion slip, which will then be completed and signed by both teacher and student. All exclusion slips will be forwarded to the Director before being placed on file.
- If the behaviour occurred outside class time the student will be accompanied by the member of staff to see a senior member of staff. If after a discussion it is deemed necessary, an oral warning of their misconduct will be given.

- In resolving the matter informally, the student may agree that he or she has acted inappropriately and undertake to apologise to relevant staff and/or students, or to follow an agreed course of action to ensure improvement. This may include agreed help from teaching staff, administration or student support staff.
- Where the issue can be resolved satisfactorily in this manner no disciplinary record will be kept on the student's file.

### **The formal disciplinary procedure**

- The formal disciplinary procedure may be applied
  - a) where the issue has not been resolved through informal action; or
  - b) where breaches of the code of conduct continue, or are resumed, after initial improvement; or
  - c) where there is an allegation of serious misconduct (as exemplified above).
- At each stage of the formal disciplinary procedure, reasonable provision will be made by the School to ensure that the student and his/her companion can attend the meeting and in the same respect, the student has a duty to take all reasonable steps to attend. The student will be notified of the time, date and place, and of the nature of the alleged misconduct and supporting evidence. Reasonable time will be allowed for the student to undertake the preparation required for the disciplinary meeting, normally a minimum of five working days for Stages 1 & 2 and a minimum of seven working days at Stage 3. These periods may be reduced by mutual agreement. The maximum length of time before a disciplinary meeting will be 21 days.

#### **Stage 1:**

- The member of staff concerned will report the incident(s) to the Head of Studies or Head of Senior School. A short written report will summarise the nature of the alleged misconduct, giving the date and location of a serious incident and, if appropriate, outlining steps previously taken to deal informally with less serious breaches of the code.

The Senior School Admissions & Administration Manager will email the student to attend a disciplinary meeting with two members of staff. The student will be notified at least five working days in advance of the meeting, unless the timescale is reduced by mutual agreement. During the course of the meeting, the nature of the problem will be explained based on the evidence gathered regarding the student's conduct. The likely consequences of failure to modify his/her behaviour will also be explained. A record of the meeting will be signed by those present and will be placed on the student's file for a defined period to be agreed at the disciplinary meeting. This record may be taken into account in consideration of any subsequent alleged disciplinary offence.

If it is felt to be appropriate, the disciplinary meeting may decide to take one of the actions listed in paragraph below. If a first written warning is issued, this will explain the nature of misconduct and the change in behaviour required. On issue of the

statement the student will be advised that further incidents of serious misconduct may result in a final written warning which could lead to their temporary or permanent exclusion. A copy of the statement will be placed on the student's file for a defined period, to be agreed at the disciplinary meeting, and will normally be taken into account as part of the consideration of any subsequent disciplinary enquiry within the period of retention.

### **Stage 2:**

- If, after a first disciplinary meeting, misconduct continues, the student will be called to attend a subsequent disciplinary meeting held with a member of the Artistic Senior Management Team and another member of staff. The student will be notified at least five working days in advance of the meeting, unless the timescale is reduced by mutual agreement. If the allegation is sustained, the meeting may decide to take one of the actions detailed below. If a final written warning is sent by a member of the Artistic Senior Management Team, the letter will advise the student of the likely consequence of failure to address the identified problem(s) or to modify his/her conduct, which may involve temporary or permanent exclusion. A record of the meeting and the outcome will be placed on the student's file for a defined period of not less than one academic year, to be agreed at the disciplinary meeting, as commensurate with the severity of the misconduct. This record will be taken into account in the event of further action.

### **Stage 3:**

- In instances of gross misconduct (e.g. theft, violent or physically abusive behaviour, damage to school property, alcohol or drug abuse), or where a student has failed to comply with the terms of a final written warning or other previous decision of a disciplinary meeting, a disciplinary panel will be held. This will be chaired by the Director or his/her nominee, and will comprise of a minimum of the chair and two other members of staff. One member of staff will be responsible for maintaining a note of the proceedings. A minimum of one member of the panel will not have had any prior involvement with the student's formal disciplinary history. Other relevant students or staff may be asked to provide evidence, or to appear as witnesses.
- The student called to attend the hearing will be notified at least seven working days in advance of the meeting, unless the timescale is reduced by mutual agreement. The student and his/her friend shall have access to the same papers as members of the panel, and shall have the right to question any witnesses called. The student will be permitted to make a final statement (which may be time-limited) before the panel formulates its conclusions.
- The panel may decide on one of the outcomes set out below. Where it is recommended that the student be excluded for a defined period or permanently excluded from the School, the decision must be confirmed by the Director, who will view all the written records from this and other disciplinary meetings. The record and outcomes of the panel meeting will be placed on the student's file until such time as the details of the student's records are destroyed.

- If the student fails to attend a disciplinary panel without due cause, the panel may reach a decision in the absence of the student.

### **Outcomes of the Formal Disciplinary Procedure**

At any stage of the formal procedure it may be decided that the student will:

- receive an oral or written warning;
- be required to pay compensation to a third party;
- be required to reimburse the School for the cost of any damage or loss that is the result of their actions;
- apologise to the injured party/parties;
- be excluded from the school's premises or specific facilities or classes for a period of up to 21 days.

At stage 3, a Disciplinary Panel may decide that:

- the student will be excluded from his/her studies for a period of up to 21 days
- the student will be permanently excluded from the School.

The severity of the penalty imposed will be consistent with the gravity of the misconduct. Where a lesser penalty is appropriate this may be coupled with action to ensure all parties involved are able to continue working together cooperatively.

### **Temporary exclusion pending a disciplinary panel**

In the event of gross misconduct the Director may exclude a student without notice for a specified period pending the convening of a disciplinary panel within 21 days. Normally, a decision to suspend in advance of the hearing will be taken only if the Director considers that the student's continued presence in the School represents a risk to people or property.

### **Criminal cases**

If the alleged disciplinary offence is also the subject of a police criminal investigation, the Director may decide (having due regard to the nature of the alleged offence and the resulting investigation) to defer completion of the disciplinary procedure until the criminal investigation and/or court case are concluded. If the offence is a serious one, the Director may, exceptionally, suspend the student pending conclusion of the criminal case.

### **Appeal**

Students have the right to appeal against any disciplinary action taken. Please refer to the procedures for non-academic appeals.