



**Student Code of Conduct & Disciplinary Policy
(3 Year Course and 1 Year Course Students)**

Contents

1. Introduction	3
1.1 Purpose.....	3
1.2 Location of policy	4
1.3 Scope	4
1.4 Related policies	4
1.4.1 EDA Policies	4
1.4.2 UOB Policies.....	4
2. Policy.....	5
2.1 What is a Disciplinary Offence?	5
2.2 Who Can Report a Disciplinary Offence?	6
2.3 Timescales	7
2.4 Investigations and Hearings.....	7
2.5 Witnesses & Representation.....	8
2.6 Health Matters	8
2.7 Criminal Matters	8
2.8 Sexual Misconduct.....	9
3. Process	11
<i>Table 1 – Examples of Misconduct</i>	11
3.1 Investigation Principles	12
3.2 Stage One	13
3.3 Stage Two	14
3.4 Stage Three.....	15
3.5 Appeals procedure.....	15
3.6 Warnings, Suspensions and Dismissals	15
3.7 Warnings	16
3.8 Suspension.....	16
3.9 Dismissal	17
3.10 Mediation	17
Document Review	17
Appendix 1: Stage Two – Formal Student Complaint Form	19

1. Introduction

1.1 Purpose

1. The Student Code of Conduct (Disciplinary Policy) covers all Emil Dale Academy (EDA) students studying on the three-year (inclusive of a BA honours degree) and one-year course (inclusive of a Cert-HE) with EDA, in partnership with the University of Bedfordshire (UOB).
2. Students are independent adults with legal and social responsibilities and are accountable for their actions and behaviour.
3. EDA fosters a community, which has an atmosphere of trust and respect.
4. Students are expected to behave in a respectful and reasonable manner both on and off the campus. They should show proper concern in their behaviour for the reputation of EDA and the student body, and for its effect on their fellow students, staff, freelancers and their successors.
5. EDA is a diverse, outward looking and inclusive place to study and work.
6. EDA is committed to promoting dignity, respect, tolerance and inclusion in all its activities and works to sustain an equal and safe environment in a culture of prevention of discrimination of any kind.
7. No person (student, staff or visitor) shall be unlawfully discriminated against, either directly or indirectly, on the grounds of their race, colour, ethnic or natural origin or nationality, religious or political beliefs, age, gender, transgender status, sexual orientation, marital status, disability, offending background, other personal characteristic or for any other reason.
8. EDA is committed to ensuring it provides a community which feels safe and where everyone is respected, in particular preventing and eliminating all forms of sexual misconduct, including sexual harassment, sexual violence and sexual abuse, including in a domestic context. EDA has a specific policy regarding Sexual Misconduct and Harassment, and this can be found on our website www.emildale.co.uk/emil-dale-policies.
9. Inappropriate behaviour is unacceptable, and EDA will support the whole community to challenge this, where it is safe for them to do so in an environment where they will be listened to and provided with the options available.
10. Confidential support is available to ensure that individuals feel empowered and confident in disclosing.
11. EDA will support victims of, or witnesses to, any incidents, including those of bullying, harassment and assault of any kind.
12. It is really important that incidents are reported, and specialist support is offered to students.
13. All reports considered under this Code of Conduct will be assessed on the Balance of Probabilities - that is, it is more likely than not that something happened.
14. Regardless of the offence, all cases will be dealt with impartially and with discretion by Investigators and the process will be fair, independent and free from reasonable bias perception. If EDA considers any situation could be influenced by bias, they will ask the University of Bedfordshire to investigate under their policy with their own Investigator(s) and Provosts.
15. EDA recognises the sensitive nature of cases and privacy will be maintained, wherever possible.
16. Throughout all proceedings, EDA will act in compliance with the General Data Protection Regulations. Any disclosure of information will be restricted to relevant information and conveyed only to those entitled to it for justifiable reasons. EDA will only share information internally or externally with the reporting party's express permission or in exceptional circumstances to:
 - a. safeguard members of the EDA community and fulfil EDA's duty of care;
 - b. discharge EDA's duties or as required by law.

17. EDA reserves the right to re-direct formal complaints into alternative policies and procedures as it sees fit.
18. Students of EDA who are subject to disciplinary action under this Policy, will be entitled to receive a Completion of Procedures letter to take their case to the University of Bedfordshire if they are dissatisfied with the outcome of the disciplinary procedures that have been applied to them.
19. Where the alleged misconduct has the potential to damage the reputation of EDA or the University of Bedfordshire, or EDA's student body, EDA will liaise with UOB as necessary to determine the appropriate procedures to be followed. At the discretion of EDA and UOB, it may be deemed appropriate for an allegation to be considered under UOB's disciplinary procedures.

1.2 Location of policy

20. This policy is available to access on EDA's website <https://www.emildale.co.uk/eda/policies.php>.

1.3 Scope

21. This policy applies to students on the three year (degree) course and one year (Cert-HE) course at EDA.

1.4 Related policies

22. Related policies are listed as below:

1.4.1 EDA Policies

- a. Sexual Misconduct and Harassment Policy
- b. Degree and Cert HE Academic Integrity Policy
- c. Casting and Streaming Policy
- d. Reporting Uncomfortable Situations (Student-on-student) Procedure
- e. Anti-Bullying Policy
- f. Attendance Policy

1.4.2 UOB Policies

- g. Academic Appeals and Procedures – appealing against the outcome of academic decisions – managed by Adjudication.
 - h. Academic Discipline – relating to academic offences, for example cheating, collusion, plagiarism, work created by a third party – managed by Academic Services.
 - i. Student Code of Conduct (Disciplinary) - disciplinary offences including complaints by students about the behaviour of other students – managed by Adjudication.
 - j. Mitigating Circumstances – relating to mitigation in relation to assessments – managed by the Student Engagement and Mitigation Team (SEAM).
 - k. Harassment – complaints concerning harassment – managed by Adjudication and Human Resources.
 - l. Whistleblowing - making disclosures in the public interest – managed by Human Resources.
 - m. Complaints concerning admissions onto a course of study – managed by the Admissions Team.
23. This Complaints Policy cannot be used for any of the above purposes, although in exceptional circumstances an Academic Appeal may follow a successful Complaint.
 24. If a student contacts the Principal or Owner directly, without initially following the Complaints procedure, the Complaint will be referred back to the student's Course Leader or Head of Department before escalating to Senior Management level.

2. Policy

2.1 What is a Disciplinary Offence?

25. A disciplinary offence or misconduct is behaviour which interferes with the proper functioning of EDA and its activities, or those who work and study at EDA, or which has the potential to damage the reputation of EDA or the student body.
26. Such behaviour could take place whilst engaged in EDA-related activity or not and when the alleged offence either:
- n. takes place on EDA property/land or away from EDA property/land; and/or
 - o. takes place while a student is engaged in EDA-related activity (including placements and trips); and/or
 - p. includes contact behaviour (whether directly on the skin or through clothes) and non-contact behaviour (e.g. exposure, invasions of privacy or causing another to engage in sexual acts); and/or
 - q. occurs through electronic means including, but not limited to, internet, email, social media, chat rooms, text messages, instant messaging; and/or
 - r. results in a legal or Police investigation, charge or conviction; and/or
 - s. is considered to pose a risk to EDA or members of its community and/or reputational damage.
27. Separate regulations deal with academic offences and cases where the professional suitability of a student registered on a programme governed by professional regulations or a programme with a placement element is brought into question.
28. The following are examples of what might constitute misconduct:
- a. disruption of, or improper interference with, the academic, administrative, sporting, social or other activities of EDA.
 - b. obstruction of, or improper interference with, the activities, functions or duties of any student, staff member, freelancers, contractor or visitor to EDA.
 - c. aggressive, violent, disorderly, threatening, indecent, offensive or anti-social behaviour or language whilst on EDA premises or elsewhere.
 - d. falsification or misuse of EDA records, including degree, diploma or other certificates, or of EDA equipment, systems and processes.
 - e. false pretences or deception relating to academic assessments and examinations.
 - f. fraud, deceit or dishonesty in relation to EDA or its staff or in connection with registering as a student, being a student, holding any office at EDA or gaining a financial advantage through association with EDA.
 - g. actions which might cause injury or put at risk the health or safety of people on EDA premises or whilst on EDA activities.
 - h. harassment, intimidation, sexual misconduct or bullying in any form including via social media or in a domestic context of any student, member of staff, Governor, contractor or other visitor to EDA including on grounds of their perceived race, colour, ethnic or natural origin or nationality, religious or political beliefs, age, gender, transgender status, sexual orientation, marital status, disability, offending background, other personal characteristic or for any other reason.
 - i. breach of the provisions of EDA's policy on Freedom of Speech or Freedom of Expression or other similar policy.
 - j. the expression of any extremist views, or the provision of any material or moral support, or encouragement of support, for individuals or groups expressing extremist views, that have the potential to incite discrimination or violence by or towards others.
 - k. theft, damage to or defacement of EDA property, or the property of other members and users of EDA or third parties (including accommodation providers), whether caused intentionally or recklessly.
 - l. attending classes or entering any other learning environment whilst under the influence of alcohol or drugs.
 - m. misuse or unauthorised use of EDA premises or items of property, including computer misuse, or breaches of EDA code on acceptable network use, or using a student ID card inappropriately, or allowing a member of the public to enter a secure area within an EDA building.
 - n. failure to disclose name, student number or other relevant details, including presenting student ID card, to a staff member of EDA, when it is reasonable that such information be given.
 - o. conduct which constitutes a criminal offence, which may include, but is not limited to: sexual assault/sexual misconduct, harassment, physical assault, possession of an offensive weapon, possession of any implement that is intended for use as a weapon and possession of an illegal substance on EDA premises or in any student accommodation, including that operated by a private provider, or at an event under the control of EDA, which affects other users of EDA or the public.

- p. conviction of a criminal offence whilst a registered student of EDA and the University of Bedfordshire, regardless of whether or not the offence was committed before commencing studies at EDA.
- q. failure to comply with a previously imposed penalty or conditions under this Code of Conduct (Disciplinary Policy).
- r. bringing EDA into disrepute.

29. This list is not exhaustive, and students may be considered under this Policy for any actions and behaviours which EDA considers as possible misconduct.

2.2 Who Can Report a Disciplinary Offence?

- 30. Any student, staff member, freelancer, contractor, visitor to EDA or member of the public may make a report of alleged misconduct about a student.
- 31. If a third party is making a Complaint on behalf of a student, they will need written consent from the student and a valid reason as to why the student is unable to raise a complaint themselves. Under the UK's Data Protection law, without a student's consent, the University will not be able to confirm whether that person is, or was, a student at the University or investigate the complaint.
- 32. Alleged reports of misconduct should be addressed to the Course Leader or Head of Department in the first instance. If the Complainant cannot provide the name of the student about whom they have reported, then the Course Leader or Head of Department may take reasonable steps to identify the individual concerned if there is sufficient evidence available to enable identification.
- 33. EDA will not normally take disciplinary action in minor disputes between students and members of the public, other than where it believes a student's behaviour constitutes a hazard to other people or to property, puts at risk EDA's reputation or significantly contravenes standards required of a professional course.
- 34. A manager or staff member receiving a report of alleged misconduct under this Policy should refer the matter to the Course Leader or Head of Department who will determine whether the report is eligible for consideration under this Policy. If the report of alleged misconduct is not eligible, the Course Leader or Head of Department will advise the complainant of the reason.
- 35. EDA encourages individuals to put their name to any reports of alleged misconduct they make. Anonymous allegations are less easy to investigate, but may be considered at the discretion of EDA. In exercising this discretion, the factors taken into account will include:
 - a. the seriousness of the issues raised;
 - b. the credibility of the report; and
 - c. the likelihood of confirming the allegation from attributable sources.
- 36. If a Complainant does not wish their identity to be disclosed to the student about whom they are complaining, EDA will endeavour to keep their identity confidential so long as it does not hinder or frustrate any investigation. However, the Complainant may need to provide a statement as part of the evidence gathering process, and, whilst any written reports will be redacted, their identity may be revealed or implied as part of the investigating process.
- 37. Where a Complainant does not give permission for disclosure of their identity, or it is not possible for this to be disguised, this may result in the case being closed as it may be impossible to investigate the case without disclosing or alluding to their identity.
- 38. If a Complainant makes an allegation that they believe to be true, which is not supported by evidence nor found to be true by a subsequent investigation, no further action will be taken and the case will be filed as having no case to answer. EDA will not consider unsubstantiated reports of alleged misconduct that it regards as vexatious or malicious. If, however, on the balance of probabilities, it is determined that a Complainant knowingly raised false or untrue allegations, then EDA may consider disciplinary action against the Complainant themselves.
- 39. A Complaint can be withdrawn at any point in the proceedings, but if there is sufficient evidence to establish that there is a case to answer, the case may still be investigated.

2.3 Timescales

40. EDA will aim to complete all stages of an investigation and provide the student with an outcome as soon as possible and within three months of receiving the initial report of alleged misconduct.
41. A number of factors can impact the speed at which investigations can be conducted. These include Police involvement, judicial procedures and availability of relevant witnesses or evidence.
42. The process may take significantly longer in cases where EDA is awaiting the conclusion of a Police investigation or other external process before an outcome can be determined, or where cases are complex.
43. Students will be notified of any significant delays during the process.
44. Where possible, an Investigation Interview should take place within 15 working days of an Investigator being nominated.
45. A student will be given two working days' notice to attend an Investigation Interview.
46. Where possible, an Investigation Outcome should be sent to the student within 10 working days of the Investigator's decision.
47. A student has 10 working days to Appeal an Investigation Outcome, Interim Suspension or Dismissal decision by emailing accounts@emildale.co.uk

2.4 Investigations and Hearings

48. The Student Code of Conduct and Disciplinary Policy is overseen by the Senior Management Team, who will appoint suitably experienced staff to investigate and review disciplinary cases.
49. In cases where multiple students are involved in the same incident, students may be interviewed separately and more than one Investigator may be appointed to deal with the cases, depending on the case and numbers involved.
50. Students are expected to engage with an Investigation and any subsequent meetings either on campus or through video-conferencing. It is expected that all cameras will be switched on during a meeting unless there is a technical reason why this is not possible. Telephone interviews will only be offered under exceptional circumstances and will be recorded. A written statement cannot be accepted as an alternative to engaging with an Investigation and any subsequent meetings unless the student provides valid reasons, along with appropriate evidence, as to why they cannot engage in person or through video-conferencing.
51. EDA recognises that students have academic and external commitments and will aim to take reasonable account of the personal circumstances of students in arranging interviews and meetings but it is likely that meetings will take place during normal office hours. In the event of a student being unable to attend an interview or meeting, they must contact the Investigator before the proposed time in order to seek a deferral. EDA will normally permit one deferral at the request of a student. Where a student fails to attend an Interview or meeting, or seeks to defer the meeting unreasonably, EDA may proceed in their absence.
52. A written record and in some cases, a video or audio recording, will be made of all Interviews and meetings described in this Policy.
53. The student will be notified of the outcome in writing within 10 working days, where possible. If this timeframe needs to be extended, this will be confirmed in writing.
54. All timeframes only apply during EDA's term time. If a complaint is made/ an investigation needs to be conducted in school holidays, all time frames can and likely will be adjusted due to availability of staff and holidays.

2.5 Witnesses & Representation

55. In conducting the Investigation, EDA may invite the Complainant to meet with staff. At all such meetings, the student can be accompanied by a friend: for example, a fellow student, a member of academic staff, or a contact from outside EDA, such as a member of the family. EDA must be notified of the name and affiliation of the person concerned in advance of the meeting.
56. If the Complainant intends bringing someone from outside EDA to meetings, they must seek approval from EDA in advance. It is not normally necessary to be accompanied by a legally qualified person, but if the Complainant wishes to do this, they must first seek approval and, if so, EDA reserves the right to include a legally qualified colleague to also participate in the meeting. This may cause a delay to proceedings depending on availability of third party members.
57. Any accompanying person will not be permitted to present the case on behalf of the student, but will be in attendance to support and to clarify issues as appropriate. It is the responsibility of the student to ensure that any witnesses whom they wish to call in support of their Complaint are available for the meeting(s) and are briefed as to the arrangements.

2.6 Health Matters

58. If an Investigator is concerned about a student's wellbeing they may refer the student to EDA and/ or EDA's support services. If it is felt that the Disciplinary process should be suspended this will be referred to Senior Management for a decision and consultation with other services.
59. EDA may consider a student's disability or mental health conditions when setting penalties. For example, if the student's conduct was linked to an underlying mental health condition, that will be under consideration when setting penalties.
60. Where mental health may have impacted on a student's behaviour, leading to misconduct, formal evidence of mental health issues will be required, for example a letter from a GP or mental health practitioner.
61. Students who have mental health difficulties are encouraged to notify EDA about their condition at registration or at the onset of their condition, so that the relevant support is offered, for example counselling.
62. If it appears to an Investigator that a student involved in a disciplinary matter should be considered under other EDA or University policies, for example Fitness to Practice or Fitness to Study, this will be referred to Senior Management for a decision and the Disciplinary process may be suspended whilst other investigations proceed.

2.7 Criminal Matters

63. Where it is suspected that a criminal offence has been committed, EDA may refer the matter to the Police, and the complainant can choose to report the incident to the Police independently. Where the Police are investigating a particular matter, any investigation by EDA relating to the same matter will normally be suspended but is likely to recommence when the Police investigation is completed, if the student is still registered with EDA/ UOB.
64. EDA may, exceptionally, decide to proceed with its internal disciplinary process before a Police investigation is complete. In such cases, EDA will take into consideration any new information that arises from the Police investigation.
65. In cases where a student is subject to a Police investigation, a risk assessment will be carried out in relation to any information provided by the Police.
66. Whether or not a matter results in a criminal prosecution or other form of civil reprimand, EDA may decide to pursue disciplinary action in relation to any matter brought to its attention.
67. In certain cases, particularly where a lengthy Police investigation is involved, which could result in the student being temporarily suspended for some time, it may be appropriate for a student to interrupt their studies and return at a later date.
68. EDA and the Police may share information about a student in order to progress either a Police investigation or an EDA disciplinary investigation. EDA may also use other means of information gathering such as web searches to collect or check information that is in the public domain regarding a student or an incident, for example social media accounts, Court listings or news reports.

69. Such information sharing and gathering will have due regard for the general data protection regulations and the credibility of the source.

2.8 Sexual Misconduct

70. EDA has a specific Sexual Misconduct and Harassment Policy which can be found on our website at www.emildale.co.uk/emil-dale-policies/
71. EDA takes matters of sexual misconduct very seriously. The significant negative effects that experiencing sexual misconduct can have upon individuals is recognised and EDA will support them and other members of EDA community who have been affected by the experience.
72. Sexual misconduct relates to a range of inappropriate and unwanted behaviours of a sexual nature and includes any conduct that is sexual, unwanted and causes distress, or that otherwise constitutes harassment, bullying or victimisation.
73. EDA will hold any individual who has committed sexual misconduct accountable. This may include facing disciplinary action, including dismissal. A report made about a student from an individual who is not a member of EDA will be considered as is reasonable or practicable.
74. EDA does not have the legal investigatory powers of the Police and cannot determine criminal guilt beyond reasonable doubt. An internal investigation will focus exclusively on whether, on the balance of probabilities, an act of sexual misconduct breaching the Student Code of Conduct has occurred. Further information is available at Appendix 2.
75. EDA has a range of support mechanisms for any student who has been the victim of, impacted by, or accused of, sexual misconduct and which link in with this Policy and the Responding to a Report of Sexual Violence and Sexual Harassment Protocol (Appendix 3).
76. Appropriate signposting and information on how access support that can be provided is available in EDA's policy on Sexual Misconduct and Harassment, and on The University of Bedfordshire's website www.beds.ac.uk/student-support/supportandreport/sexual-assault/
77. A Reporting Party can either make a Disclosure or a Report. A Disclosure means that an individual (Disclosing Party) tells a member of EDA community that they have experienced Sexual Misconduct. A Disclosure is not a formal complaint and is therefore not considered under this Policy; further detail on Disclosure is included in EDA's Sexual Misconduct and Harassment policy.
78. EDA will respect the right of the individual Disclosing or Reporting an experience to choose how to take forward a Disclosure or Report, including the decision not to pursue a formal Report further. A Disclosure is confidential and will only be shared with the express permission of the Disclosing Party. A Disclosure may remain the first and last point of contact with EDA. If a Disclosing Party decides that they wish to make a formal Report to EDA this can be done at any time and this Policy will apply. EDA recognises the importance of minimising the number of times the person making the report (Reporting Party) has to disclose an incident of sexual misconduct.
79. EDA will support anyone who makes a Disclosure or Report, regardless of their choice to do so anonymously or to whom they Disclose or Report, regardless of whether they also make a report to the Police. All parties will be listened and responded to in a safe, supportive and trusting environment, their safety and wellbeing will be prioritised and the dignity of all involved will be ensured in any investigations or Hearings.
80. If a formal report is made, the Reporting Party will not have to face or speak with the alleged perpetrator (Responding Party); all interviews and Hearings will be conducted separately.
81. If the person reporting is under 18 or a vulnerable adult, EDA Safeguarding Policy will apply.
82. Sexual misconduct does not necessarily imply conduct that is against the law. The relevant conduct will initially be assessed, and any measures put in place will be part of EDA's broader structures for supporting students and handling non-academic misconduct.

83. However, where the Investigator considers that the conduct may also have been a criminal offence, EDA will (after due consideration of the wishes of the Reporting Party and a risk assessment) consider whether the matter should be referred to the Police.
84. Where it is suspected that an offence of sexual misconduct has been committed, the Reporting Party can choose to report the incident to the Police independently.
85. In the interest of clarity, if a report is made in relation to any student under the age of 18, although not (usually) covered by this policy, EDA may have a safeguarding obligation to report to the police.

3. Process

86. The student should contact their Course Leader, a Head of Department, Welfare Officer or Senior Management to raise their concerns either in writing or as part of a discussion, making clear the matter that they wish to discuss and the nature of the Complaint that they wish to raise.
87. In all cases, Senior Management will be notified of a complaint and may choose to oversee each level of a complaint raised.
88. On receipt of a report that is eligible for consideration under this Policy, the Senior Management Team will make an initial assessment of whether the report is a minor or serious misconduct. (established by categorisation in Table 1 below).
89. Consideration will also be given to any previous instances of misconduct and the Senior Management Team may review the student's disciplinary record to determine whether the aggregation of previous minor misconduct justifies the report to be treated as more serious. Depending on the level of seriousness, the Senior Management Team will decide the appropriate action, according to Table 1.
90. EDA requests that complainants do not discuss complaints publicly via social media such as Facebook, Twitter, Instagram, TikTok and/or Snapchat (and/or any other social media platforms). This can have a detrimental impact on the complaints investigation.

Table 1 – Examples of Misconduct

Level of seriousness	Examples of types of offence	Process
These lists are not exhaustive and can include other offences, which EDA deem minor or serious when reported, and outcomes.		
Minor Examples include, but are not limited to, the following misconduct codes: c, d, g, m, n	• Anti-social behaviour such as: disruption in class, inappropriate language/behaviour, noise complaints, being rude to staff, other students or neighbouring residents • Smoking in EDA buildings • Tampering with EDA owned equipment (eg fire safety equipment) • ID offences • Not adhering to rules or guidelines set out by EDA • Kissing another person on the hand or cheek without consent where there is no sexual element or other harassment behaviours involved • Participating in any sexualised commentary about others online or in person <i>(NB, EDA also has a Sexual Misconduct and Harassment policy which should be read in conjunction with this policy)</i>	Written warning. A student can be issued up to two written warnings (unless for a fire safety equipment offence). Upon a third report of misconduct being reported, the case will be formally investigated under Stage One and a final written warning may be issued. Mediation may be recommended in appropriate circumstances. Students who refuse to consider mediation will need to provide adequate reasons to EDA.
Serious Examples include the following misconduct codes: a – r	• Repeated minor misconduct offences • Activity relating to a criminal offence • Bullying, harassment, assault or a physical altercation • Fraud (including fraudulent evidence submitted to support mitigation) • Tampering with EDA owned equipment (eg fire safety equipment) • Possession of an offensive weapon	Formal investigation meeting under Stage Two. Consultation with the University and potential formal investigation under Stage Three.

	• Racial, Homophobic and Discriminatory activity, including through social media • Offensive, aggressive, threatening behaviour, including through social media, including of a sexual nature • Sexual misconduct including engaging, or attempting to engage, in a sexual act without consent, touching others inappropriately, recording or sharing intimate images or recordings of another person without their consent (NB, EDA also has a Sexual Misconduct and Harassment policy which should be read in conjunction with this policy) • Possession, use, sale or other trafficking of illegal drugs or controlled substances • Conduct which raises questions as to whether the student concerned should remain a member of the EDA Community because they pose a risk to other members of the EDA Community, or to the good order and/or reputation of EDA • Failure to comply with reasonable instructions relating to discipline issued with Senior Management's authority, including failing to engage with the Disciplinary Process, not responding to communications and/or failing to attend Disciplinary Investigations or Hearings	
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91. Following the initial discussion/ written report received, the Complainant will be informed of the investigation principles as below, to determine the next steps in their complaint.
92. A summary of the complaint will be sent to the Complainant who must confirm in writing that the content is correct. This will be sent within 5 working days of the initial complaint raised (note, working days are term-time, Monday to Friday. Complaints received during college breaks may take longer to be addressed). The student will also be sent the options of the investigation principles as outlined below, and they must confirm which route (either a or b at this stage) they would like to take within 10 working days of the summary being sent.

3.1 Investigation Principles

93. The investigation principles follow these stages:
- a. Student-led Informal discussion of the Complaint, with option to include the individual(s) directly involved (Stage One).
 - b. Formal Investigation of the Complaint by Senior Management (Stage Two).
 - c. Referral to the University of Bedfordshire Complaints Procedure and procedural steps (Stage Three).
94. Notes will be taken of all meetings, regardless of stage.

3.2 Stage One

95. Once the level of seriousness is determined, the person who is alleged to have committed the offence will be notified of the alleged misconduct report against them as outlined in Table 1. Minor offences will be dealt with informally through warning letters by the Senior Management Team and the Head of Department notified. Repeated Minor or Serious offences will be progressed to the Stage Two process outlined below.
96. Any student proven to have removed, damaged, interfered with or otherwise prevented the use of any system or equipment intended for the protection of life against the effects of heat or smoke from fire (to include portable fire extinguishers / fire alarm system call points, sensors etc.) or other emergency lifesaving equipment (i.e. emergency evacuation chairs) will automatically receive a written warning in the first instance which will remain on file for the full period of study. A second incident of a similar nature will automatically result in a full Hearing, where the first incident will also be reconsidered.
97. A meeting will be arranged, for which the student should receive at least two clear working days' notice to attend. The staff member(s) conducting the meeting may request a colleague, and the student may also be accompanied by a fellow student or a representative.
98. The best resolution may not always be a direct investigation of an individual or group, and this will be determined by Senior Management, in consultation with the complainant. Heads of Departments and/ or Course Leaders may be involved to manage and address issues at this stage to ensure this is embedded in classroom etiquette, teaching and learning.
99. Options to resolve the complaint at this stage may include:
 - a. discussion within tutorial time or embedding ideas and thoughts into class-based learning.
 - b. Mediation session with other parties involved
100. The outcome of stage one when dealing with a minor offence cannot be appealed, unless there is a repeated offence or evidence comes to light of a Serious offence being committed.
101. If the student complainant wishes to move beyond an informal discussion, EDA will enter the formal stages of investigation providing there is enough evidence to do so (Stage Two).
102. A record of the circumstances of the Complaint will be retained by the administration team or passed to the Senior Management Team in the case of a Complaint against a service. This record will indicate either any action to be taken or the reason for the decision to reject the Complaint. This record will be destroyed when the student graduates or otherwise ceases to be a student of EDA.
103. EDA will keep basic details of all Complaints resolved at this level, including details of the Complainant, the nature of the Complaint and the outcome. The student too should keep a record of how they tried to resolve the issue informally. This will help inform any further correspondence or escalation of the matters raised.
104. The Formal process can take some time and should be used only if the steps above have been followed.
105. The student has 10 working days from when Informal Outcome is received to submit a Formal Complaint. This timeframe may exceptionally be waived where the student has a valid reason, with formal evidence as to why they were unable to submit the Formal Complaint on time.
106. To make a Formal Complaint, the student should complete a Formal Complaint Form (Appendix 1), accompanied by relevant evidence, and details of the steps the student has taken to resolve the Complaint informally or their reasons for not doing so, and send it to only one of either the Principal or Business, Compliance & Strategy Manager.
107. On receipt of the Formal Complaint, the Principal or Business, Compliance & Strategy Manager will determine whether it is appropriate for the Complaint to be considered under this Policy or another Policy.
108. The student will be informed of their decision within 10 working days of receipt of the Complaint.

3.3 Stage Two

109. Repeated Minor or Serious levels of misconduct that are deemed eligible by the Senior Management Team for consideration under this Policy will be subject to an initial investigation. Repeated minor reports may be treated as more serious and may also be subject to investigation.
110. Where the offence is considered as Serious, the Senior Management Team may determine that an interim suspension should be imposed on the student about whom the initial allegation has been made whilst the allegation is being investigated. Offences may enter at this level or progress through from less serious measures (see Warnings, Suspensions and Dismissals).
111. An Investigator will be appointed and may need to conduct a meeting with the Complainant, in which case a note and recording of the meeting will be taken and the student will have the right to a witness.
112. EDA would expect the Complainant to provide as much evidence and written confirmation of events as possible, in order to aid the investigation. Dates, times and location(s) will be critical to determining robustness of the investigation.
113. The Investigator should attempt to interview all known witnesses and/or the person making the alleged misconduct report and they should be provided with an opportunity to be accompanied by a friend or representative (see Witnesses and Representation). Witnesses may include other students, members of staff, and security and accommodation team members.
114. If an incident occurs on EDA owned premises, the Investigator should always check the security footage to see if the incident was captured on CCTV and ensure the student has seen the CCTV footage.
115. At this point, the person who is alleged to have committed the offence will be notified of the alleged misconduct report against them as outlined in Table 1. Repeated Minor or Serious offences will be progressed the stage 2 process outlined below.
116. The Investigator will send a written invitation email to the student reported of an allegation, inviting them to an Interview, explaining the allegation which has been made, informing them that they may be accompanied by a friend or representative (see Witnesses and Representation), and providing an electronic link to this Policy.
117. The student will be given at least two clear working days' notice to attend and EDA will aim to take reasonable account of personal circumstances in arranging an interview. The Investigator may also supplement the email invitation by using other communication mechanisms, such as telephone, to ensure that the student receives the invitation to attend the meeting.
118. If the student reported does not engage with the investigation process, the case will proceed without their input and opportunity to be represented.
119. Students are expected to engage with an Investigation and any subsequent meetings either on campus or through video-conferencing. It is expected that all cameras will be switched on during a meeting unless there is a technical reason why this is not possible. Telephone interviews will only be offered under exceptional circumstances and will be recorded.
120. A student may admit the offence in full or part in writing; or in full or part in person at an Interview, or deny the offence. In all cases, the Investigator will draft a report of findings within 10 working days. This will also include submitting a report if an Investigation Interview does not take place for any reason. Any written statements will need to be scrutinised by the Investigator to check for discrepancies.
121. A written record of a meeting and/or written correspondence must be kept by EDA. The written or oral response will be provided to the student within 10 working days of the Complaint being raised, except where good reason can be demonstrated for requiring a longer period.
122. Following Investigation of the Complaint the Investigator will refer to an independent member of staff to review proceedings and outcomes. In the event that the independent member of staff is uncertain or unclear about the findings, they may seek advice from the Adjudication Team at the University at this stage.

123. If the independent member of staff approves the findings, then the Investigator will provide a written outcome which will be communicated to the student within 10 working days, where possible, and be copied to the students concerned, which resulted in the Complaint.
124. The student will be informed of the outcome of their Complaint and if any remedy is proposed. If the outcome of the complaint at this stage is unsatisfactory to the complainant, they may wish to appeal the decision and move to Stage Three. Nonetheless, if a complaint has been categorised as Minor there may not be an option to move to stage Three. Instead, the complaint will be logged and reviewed at a point of repeat offences.
125. The response will indicate whether the Complaint has been upheld, not upheld or partially upheld and will, where appropriate, identify any action to be taken as a consequence of the outcome.
126. The Investigator can submit their report to the student upon request. Due to General Data Protection Regulations, the student cannot request to see a suitably redacted report related to any other person who has been subject to a separate Investigation Interview in relation to the incident in question
127. During the Investigation stage, if a student wishes to have any Mitigating Circumstances considered they must disclose this to the Investigator, together with supporting evidence.
128. Where the complaint is not upheld, the student will be notified of their right to proceed to the University of Bedfordshire complaints procedure under stage three, where the Registrar and University Secretary determines that there are grounds to investigate procedural activities up to this point.

3.4 Stage Three

129. A student may then choose to escalate their complaint to the University of Bedfordshire, and therefore must refer to the University of Bedfordshire Student Code of Conduct.
130. At this point, EDA will provide the relevant information that they have investigated and found to the Investigator appointed by the University. EDA will cooperate with the University investigators requirements through their processes and procedures, and it is expected that the student will do the same.

3.5 Appeals procedure

131. Only the following constitutes grounds for appeal:
- that the student has new and relevant material evidence or information, which could not have been made available, for valid reasons, for consideration during the process;
 - that the decision reached was perverse in the light of the evidence presented;
 - that the procedures were not followed properly during the investigation or in the process leading up to it which had a material effect upon the final decision; or
 - that the severity of the penalty imposed was unreasonable and disproportionate.
132. An appeal can only be made by a student who has been complained about.
133. The complainant can appeal to the university if they feel the process of the complaint investigation has not been suitably handled, but they cannot appeal a decision made.

3.6 Warnings, Suspensions and Dismissals

134. A record of all offences and penalties will remain on the student's record for the remainder of their period of study.
135. EDA may put in place such measures at any point in the process which are not a sanction or penalty but which EDA sees as necessary to manage the risk to the EDA or University community or its reputation or to manage the conduct of any, or all, of the parties. The reasons for such measures will be communicated to all parties.
136. In serious misconduct cases, a note will be added onto a student's record to prevent re-registration without prior consideration of previous cases.

137. In certain cases, particularly where a lengthy Police investigation is involved, which could result in the student being temporarily suspended for some time, it may be appropriate for a student to interrupt their studies and return at a later date.
138. If a student has been dismissed there is no automatic right to re-admission. Any request for re-admission will be considered by the Principal and colleagues at the University.

3.7 Warnings

139. Minor offences will be dealt with informally through warning letters by Senior Management Team. Repeated Minor or Serious offences will be progressed to the formal process.
140. A maximum of two written warnings will be issued, after which a final written warning may be issued.
141. Any student proven to have removed, damaged, interfered with or otherwise prevented the use of any system or equipment intended for the protection of life against the effects of heat or smoke from fire (to include portable fire extinguishers / fire alarm system call points, sensors etc) or other emergency lifesaving equipment (ie emergency evacuation chairs) will automatically receive a written warning in the first instance which will remain on file for the full period of study.
142. A second incident of a similar nature will automatically result in a full investigation, where the first incident will also be reconsidered.
143. Failure to adhere to a final written warning may result in dismissal from EDA and the University Course.

3.8 Suspension

144. Where the offence is considered as Serious, the Senior Management Team may decide to temporarily suspend the student about whom the initial allegation has been made whilst the allegation is being investigated. Offences may enter at this level or progress through from less serious measures.
145. A student who is suspected of having committed a very serious disciplinary offence, or against whom a criminal charge is pending, or who is the subject of a Police investigation, may be temporarily suspended from attendance at EDA at the Principal's discretion.
146. When considering a possible suspension, EDA will consider the potential risk the alleged perpetrator may pose to staff and students.
147. Temporary suspension is not a sanction or penalty, but is imposed to protect the EDA community, or EDA's reputation, pending a criminal trial or Hearing, or to allow an investigation to be carried out unimpeded.
148. The Principal may impose action short of suspension, such as a requirement that a student does not visit a particular campus or building, or that they do not contact a particular individual. Failure to comply with such a restriction or a suspension would, in itself, constitute a serious disciplinary offence and would be treated as such.
149. If the Principal's decision is to suspend a student this will be notified to the student concerned, in writing by email and they may request that the suspension be removed and should submit their reasons to their Course Leader for consideration by the Principal within 10 working days. This may include representations relating to any imminent examination, assessment or other deadlines. If the student does not make contact within this timescale, the suspension will stand.
150. If a suspension is imposed, support will be provided by the Welfare Officer or Course Leader should a student miss deadlines, assessments or examinations.
151. A student who has been suspended will remain suspended until they receive written confirmation from the Principal that the suspension has been lifted.
152. Suspensions will be subject to review by the Principal every four weeks, except in cases where a lengthy suspension is likely, for example during a Police investigation. In this case, the suspension will be reviewed every twelve weeks or in the light of evidence available as to the progress of the case.

3.9 Dismissal

153. Recommendation for dismissal is subject to confirmation by the Principal, the University Registrar and University Secretary, and in which case the Vice-Chancellor will be consulted with to make the final decision alongside the Principal.
154. Only the Principal and UoB Vice-Chancellor can permanently dismiss a student, which will be communicated in writing by email, and the Principal and UoB Vice-Chancellor may amend the proposed penalty to a lesser one if it is felt appropriate.
155. If a decision to permanently dismiss is enacted then EDA and the University may advise other appropriate bodies of the action that it has taken, for example Student Finance England.
156. If the Principal and the UOB Vice-Chancellor recommends dismissal, a student will be notified, in writing by email. They may Appeal the decision within 10 working days, requesting that the dismissal be retracted.
157. Any Appeal should be submitted to the University through their procedures. If the student does not Appeal within this timescale, the dismissal will stand.

3.10 Mediation

158. At any point prior to Stage Three and/ or its potential conclusion, a request for mediation can be made by a Complainant.
159. Mediation will only occur with the agreement of all parties involved, and the formal Complaints Procedure will be suspended while mediation takes place.
160. The purpose of mediation is to provide a forum for reaching a decision on, or solution to, a student's Complaint, particularly where the Complaint centres on a certain member of staff or a group of staff.
161. The mediation forum consists of the student and their friend, the member of staff/ Freelancer or student who is the subject of the Complaint, the member(s) or staff responsible for the area of the EDA's activity that is the subject of the Complaint, the Principal and/ or Senior Member of Staff and a Chair appointed by the Principal from among the senior staff of EDA not previously involved in the Complaint.
162. The mediation procedure may be invoked or rejected by either the student or EDA or the University.
163. The key features of the mediation procedure are that it provides a forum for the discussion of key issues contributing to the case, and that members agree at the outset to abide by the outcomes of the discussion. From the EDA's perspective, the outcome of the mediation forum concludes the Complaints Procedure.

Document Review

Version Number	Date of Issue	Review Date	Author	Changes Made/ detail
01	July 2020	July 2021	Sarah Moore	First issue
02	July 2024	July 2025	Sarah Moore	Amended to be more in-line with university processes
03	June 2025	June 2026	Victoria Hammond	Amended any references to Student Complaint Policy, as it is embedded within Student Code of Conduct Policy

04	24 th October 2025	September 2026	Sarah Moore	Updated in line with University of Bedfordshire updates
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Appendix 1: Stage Two – Formal Student Complaint Form

Please read the Student Code of Conduct Policy in full before completing this form.

All sections of this form must be completed in full and official supporting evidence must be provided.

Please sign and date the form and return to either the Business, Compliance & Strategy Manager (sarah@emildale.co.uk) or the Principal (vicky@emildale.co.uk) - Please only send to ONE of these members of staff.

This information is optional and you do not have to provide it. However, anonymous reports can be more difficult to investigate and it is likely that your Complaint will be delayed if you do not complete this form in full.

Your Details

Student Name		Email Address	
Course Title/ Year Group		Address for correspondence	
Phone Number(s)			

Please answer these questions to check your Complaint is eligible for consideration

1. Has your complaint been considered at the Student-Level Informal Discussion Stage? If you answer 'no' to this question, please submit your Complaint to the member of staff or Department most directly involved with the problem or issues raised (see the complaints Process 3.2 in this policy)

YES NO

2. Are you complaining within 10 working days of receiving your Informal Outcome? You must submit your Stage One Formal Complaint to EDA within 10 working days of receiving your Informal Outcome. If your Complaint is submitted late, it will not normally be considered (see below).

YES NO

3. If you are not complaining within 10 days of receiving your Informal Outcome is there an exceptional reason for this? If Yes, please provide an explanation and evidence to support your claim.

YES NO

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If you have answered 'no' to any of the above questions, it is unlikely that EDA will consider your Complaint.

If you have answered 'yes' to the above questions, it is likely that your Complaint is eligible for consideration. Please complete the rest of this form and send it to either the Business, Compliance & Strategy Manager (sarah@emildale.co.uk) or the Principal (vicky@emildale.co.uk) - Please only send to ONE of these members of staff.

Student Code of Conduct & Disciplinary Policy (3 Year Course and 1 Year Course)

V04_SM 251024

Please explain your Complaint fully, giving specific dates and times where appropriate.

Please ensure to answer:

1. When did the incident happen? (Date and Time)
2. Where did the incident take place? (on or off campus? Online? Social media? Via email?)
3. Who was involved? (please provide names, and if possible student ID's of those involved)
4. What happened? (Please give full details as you recall them)
5. Witnesses? (name and number of people where possible)

Please confirm what evidence you have to support this complaint, and include in your submission of this form.

Please explain how you have attempted to resolve your Complaint so far, including the details of the Student-Led Informal Discussion. Please include the name of the person(s) you have dealt with and why you remain dissatisfied:

Please explain what you would like to happen to resolve your Complaint

DECLARATION

By submitting this form, I confirm that:

- I have read the Student Code of Conduct & Disciplinary Policy and understand that my Complaint will only be considered within the terms of this Policy and EDA Regulations.
- The information I have provided on this form is true to the best of my knowledge;
- I understand that if any information I have provided is found to be false I may be subject to disciplinary proceedings.
- I agree that information about my Complaint may be gathered from within EDA by members of staff in EDA as directed by the Senior Management Team. I agree that my name and other necessary information about the Complaint may be disclosed, this is in order to investigate my Complaint properly, and to balance fairness with the rights of the person/department about whom the Complaint is made.
- I also understand and accept that the outcome of Formal Complaints must be recorded for the purposes of monitoring and analysing Complaints generally, and for reporting to Academic Board for monitoring and evaluation in terms of quality assurance as EDA is required to under the section of the QAA Code of Practice on Appeals and Complaints.

Your Name (Block Capitals/ Typed)	
Signature	
Date	