

**From:** Edinburgh College Freedom of Information

**Sent:** 05 February 2019 16:06

**To:** [REDACTED]

**Subject:** RE: Freedom of information request

Dear [REDACTED]

**Our Ref: 001/19**

As of 1 October 2012, Edinburgh's Telford College, Jewel & Esk College and Stevenson College merged to create a single college called Edinburgh College.

We refer to your request for information dated 08 January 2019. The College has considered your request as a request for information under section 1 of the Freedom of Information (Scotland) Act 2002 ("FOISA"):

**001/19: 1** Please provide details within the last 5 years, broken down into each year, with the number of students that have been dismissed prior to any warning being issued following a disciplinary investigation. Please provide me the nationality broken down into Scottish, Welsh, Irish, English and any other. I require numbers attached to each year and the nationality.

If the number's are low and this could potentially identify individual I will accept total number as per Section 40 of the FOI act.

None.

The Positive Behaviour and Anti-Bullying & Harassment: Guidance and Procedures for Students document states that withdrawal from the course is one of the potential outcomes of the investigation and/or disciplinary meeting.

Please find attached the Positive Behaviour and Anti bullying & Harassment: Guidance and Procedures for Students document which outlines the college's disciplinary process.

Edinburgh College is subject to the provisions of the Freedom of Information (Scotland) Act (FOISA) 2002. If you are dissatisfied with this response, you may ask the college to review this decision. To do this, please contact the Head of Corporate Development at the postal address below or e-mail the Head of Corporate Development at [governance@edinburghcollege.ac.uk](mailto:governance@edinburghcollege.ac.uk) describing your original request and explaining your grounds for dissatisfaction. (Please include in your review request, your name and home address for correspondence).

You have 40 working days from receipt of this letter to submit a review request to:

Head of Corporate Development

4th Floor

Edinburgh College (Milton Road Campus)

24 Milton Road East

Edinburgh

EH15 2PP

When the review process has been completed and if you are still dissatisfied, you may ask the Scottish Information Commissioner to intervene.

The Commissioner's online appeal service is available from their website:  
[www.itspublicknowledge.info/Appeal](http://www.itspublicknowledge.info/Appeal)

The online appeal service is available 24/7 and offers you real time help and advice about your appeal.

You must appeal to the Commissioner within six months of receiving the review decision.

You also have the right to appeal to the Court of Session on a point of law following a decision of the Commissioner.

Regards

FOI Team

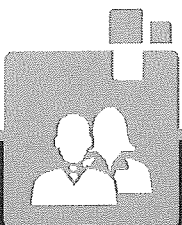
Policy Number	SEPBG1
Level	2
Issue	1
Issue Date	August 2017
EIA	Yes
Review Date	August 2020
Author	AM Dempsey



For the future you want

# Positive Behaviour and Anti-Bullying & Harassment

Guidance and  
Procedures for Students



## Student Experience

These Procedures should be considered along with the  
Positive Behaviour and Anti Bullying & Harassment Policy

# Contents

---

1. Introduction .....	2
2. Suspensions .....	2
3. Meetings .....	2
3.1 Before the meeting .....	3
3.2 During the meeting .....	3
3.3 After the meeting .....	3
4. Potential disciplinary outcomes .....	3
5. Types of Inappropriate Behaviour .....	4
5.2 Minor .....	4
5.2 Concerning .....	4
5.3 Significant .....	4
6. Procedures to address minor disruptive behaviour .....	5
7. Procedures to address concerning behaviour .....	5
8. Procedure to address behaviours that are of significant concern .....	6
9. Appealing a withdrawal .....	7

# Edinburgh College Student Disciplinary Procedures for Students

*These Procedures should be considered along with the Positive Behaviour and Anti Bullying & Harrassment Policy*

---

## 1. INTRODUCTION

A disciplinary is difficult for all concerned, this document aims to provide guidance and support for you, when facing disciplinary actions. When a meeting has been arranged you will be offered reasonable time to prepare and seek representation. Representation can be an Edinburgh College Students' Association (ECSA) staff member, your class rep or another appropriate person.

An alternative meeting should be offered to you if you are unable to attend the first meeting.

After an initial meeting, your Learning Development Tutor (LDT) or other appropriate staff member may find it is not necessary to begin formal disciplinary procedures but instead may ask that you seek support from Student Services or modify your behaviour. This will be noted on your student record to ensure the best support is provided to you in the future.

## 2. SUSPENSIONS

In some cases whilst an investigation is taking place into alleged misconduct, you may be suspended. The reason to suspend will be explained to you and usually only happens when there is a threat to your safety or the safety of others. Suspensions shouldn't be any longer than 5 working days but if you are to be suspended for longer, the investigator will explain why.

---

### 3. MEETINGS

These meetings are confidential; unless there is a threat to the safety of yourself or others or to ensure you are supported fully. In cases where the meeting can't be kept entirely confidential, the information will only be given to those that need to know. The Curriculum Manager/Curriculum Leader or LDT will normally chair the meeting but can ask an impartial staff member to lead the meeting.

#### 3.1 Before the meeting

1. Arrange and meet with your representation, if needed
2. Prepare any evidence or documentation

#### 3.2 During the meeting

1. The Chair of the meeting will introduce everyone in attendance and explain the reason for the meeting to you
2. Please stick to the facts when giving information to the panel
3. If you don't understand something, ask the staff member to explain

#### 3.3 After the meeting

1. You will be given a timescale for the investigation to be concluded or a disciplinary outcome decision
2. Sometimes you may forget to include something relevant to the investigation or disciplinary, if this happens please let the appropriate staff member know as soon as possible.

### 4. POTENTIAL DISCIPLINARY OUTCOMES

Below is a list of potential outcomes of the investigation and/or disciplinary meeting

- A No disciplinary action
- B Verbal warning
- C First written warning
- D Final written warning
- E Suspension (for no longer than 1 week)
- F Withdrawal from the course

---

## 5. EXAMPLES OF BEHAVIOUR THAT FALL BELOW THE STANDARDS EXPECTED.

Below are examples of inappropriate behaviours. Depending on the circumstances it is the college's right to consider the impact of the behaviour displayed.

This includes behaviour both within and out with the college premises that could potentially compromise the college's reputation and learner and staff wellbeing.

### 5.1 Minor

- Swearing,
- Spitting,
- Disruptive behaviour
- Smoking and vaping in non-designated area
- Undermining and extreme criticism of peers, and staff on performance of tasks and assignments.

### 5.2 Concerning

- Academic malpractice including plagiarism
- Derogatory name calling
- Threatening, intimidating or abusive behaviour including cyberbullying
- Breach of Health and Safety policy and procedures
- Failure to adhere to regulatory bodies codes of conduct in terms of fitness to practice either in college or placement.

### 5.3 Significant

- Carrying a weapon
- Bullying and harassment
- Threat of violence and violence
- Being under the influence or possession of alcohol, illegal substances or new psychoactive substances (NPS) on campus.
- Displaying sexual images and offensive material
- Theft and damage to all property on college premises.

---

## 6 PROCEDURES TO ADDRESS MINOR DISRUPTIVE BEHAVIOUR

1. Your LDT or a relevant staff member will arrange a meeting via tracked e-mail or letter giving you 5 working days' notice.
2. You should attend this meeting.
3. The meeting and outcome will be recorded on your student record.
4. Depending on the behaviour and outcome, you will be reminded of the college's core values and your responsibilities of these.

Repeated minor breaches of behaviour will result in formal disciplinary. All formal disciplinary action will be recorded on your student record.

## 7. PROCEDURES TO ADDRESS CONCERNING BEHAVIOUR

### **Please note this is an investigation**

1. Your LDT or a relevant staff member will arrange a meeting via tracked e-mail or letter giving you 5 working days' notice to attend an investigatory meeting with the Curriculum Manager/ Curriculum Leader.
2. The meeting will be recorded on your student record.
3. Following the meeting, your LDT or relevant staff member will let you know the disciplinary outcome, within 5 working days.
4. The disciplinary outcome will be recorded on your student record.
5. Depending on the behaviour and outcome, you will be reminded of the college's core values and your responsibilities of these.

---

## 8. PROCEDURE TO ADDRESS BEHAVIOURS THAT ARE OF SIGNIFICANT CONCERN

1. Your LDT or a relevant staff member and Curriculum Manager may decide for safety reasons to suspend you. (Please refer to suspensions)
2. Your LDT or a relevant staff member will invite you to attend an investigatory meeting with your representative, your LDT or a relevant staff member and your Curriculum Manager
3. The meeting will be recorded on your student record.
4. Following the meeting, your LDT or a relevant staff member will let you know the disciplinary outcome, within 5 working days.
5. If you are on a course leading to professional registration, you will be referred to the relevant Fitness to Practice (FTP) Panel at this stage.
6. The disciplinary and any potential Fitness to Practice outcomes will be recorded on your student record.
7. You will be informed of your right to appeal and will be given information on how to do this.
8. On occasion, where you have displayed significant concerning behaviour, the college may make the decision to contact the Police.

---

## 9. APPEALING A WITHDRAWAL

You can appeal the college's decision to withdraw you from your course. You must appeal in writing to your Head of Faculty within 5 working days of receiving their tracked e-mail. Once the Head of Faculty has received the appeal letter or email, the following will apply.

1. **Contact with you.** Your Head of Faculty will respond by either tracked e-mail or letter within 5 working days of receiving your written appeal. Your LDT or a relevant staff member will collate information relating to the alleged concern and action taken leading to your withdrawal. This will be passed in writing to the appeal panel in advance of the appeal hearing. If you cannot attend this meeting, an alternative meeting will be offered.
2. **Appeal panel.** An appeal panel is formed to make a judgement on the appeal. The panel must comprise of Head of Faculty, Head of Function or Curriculum Manager and an ECSA Officer. You are entitled to bring a representative to the appeal, for example a Class Representative or ECSA Staff member. The role of the representative is to provide support to you but not to speak on your behalf, unless you have given prior notice to the appeal panel. A Panel member is nominated to take minutes of the meeting, which would be required as evidence should you later complain about the panel's decision.
3. **Appeal hearing.** The Head of Faculty will chair the meeting and provides you with all information that led to your withdrawal. The Chair will invite you to provide the panel with your reasons for appeal. When the meeting is finished, the panel will consider the outcome. The outcome must be communicated to you, your Learning Development Tutor and Curriculum Manager within 5 working days.
4. **The decision of the panel is final.** You will be given details of how to complain, if you are not satisfied with the outcome.