

Student Disciplinary Procedure

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Access & Progression Manager

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Reviewer	Date of Change	Summary of Revisions made
A&P Manager	Nov 2025	Approved by EMT
A&P Manager	July 2026	Additional statement regarding Duty Manager role
A&P Manager	July 2026	Policy updates
A&P Manager	July 2026	Changes to numbering system to simplify process
A&P Manager	July 2026	Repetition of wording to each section to add clarity
A&P Manager	July 2026	Updated reference to appropriate support at UHI Inverness throughout
A&P Manager	July 2026	Additional Personnel added to support the process in staff absence
A&P Manager	July 2026	Examples of conduct added at each disciplinary stage
A&P Manager	July 2026	Business Solutions Team included to support offered to apprentices.
A&P Manager	July 2026	CLs and Duty Managers included in precautionary action in consultation with TEL, EMT or Person in Charge
A&P Manager	July 2026	Changes to the timescale notification period allocated in the disciplinary hearing process 12.2 and 12.3

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1. Introduction

- 1.1. This procedure supports the Student Conduct Policy and the Student Code of Conduct.
- 1.2. This procedure is designed to give students and staff a clear framework to fairly and promptly address any situations which may arise around student conduct and suspected breaches of the Student Code of Conduct.
- 1.3. Publicly available UHI Inverness policies and procedures can be accessed via our website: [About us - Publications](#). Staff and Board Members can access the full range of internal policies and procedures through the Quality SharePoint site. Student Disciplinary Procedure is part of a suite of documents, including:
 - Academic Standards and Quality Regulations (FE)
 - Fitness to practise guidelines (course-specific)
 - Gender-Based Violence Policy
 - Harm Reduction Policy
 - Malpractice Procedure (FE)
 - Mitigating Circumstances Procedure
 - Safeguarding Policy
 - Student Code of Conduct
 - Student Conduct Policy
 - Student Criminal Offence Data Disclosure Policy
 - Student Mental Health and Counselling Policy
 - Suicide Intervention and Risk Management Policy and Guidance
 - Support to Study Procedure
 - UHI Academic Misconduct Policy
 - UHI Mental Health Strategy
 - University of the Highlands and Islands Academic Misconduct Guidance
 - University of the Highlands and Islands Academic Standards and Quality Regulations

2. Scope

- 2.1. This procedure applies to all students regardless of level enrolled on a programme of study at UHI Inverness or who are enrolled at another academic partner but are studying at UHI Inverness.
- 2.2. This procedure applies to suspected breaches of the Student Code of Conduct in physical and virtual environments, including social media and messaging services e.g. MS Teams, What's App, Snapchat, Discord.
- 2.3. The procedure applies to suspected breaches of the Student Code of Conduct on campus and off campus.
- 2.4. Both staff and students can report suspected breaches of the Student Code of Conduct.
- 2.5. It is expected that academic staff will predominately instigate use of these disciplinary procedures with support from Professional Service staff, as required.
- 2.6. For students who are also school pupils, including exceptional entrants and home educated learners, please refer to Section 14
- 2.7. For apprentices, please refer to Section 15

3. Principles

- 3.1. The Student Disciplinary Procedure seeks to act without bias and to provide all parties with the right to a fair hearing. UHI Inverness recognises that raising a concern or being the subject of an investigation can be a stressful experience. Students have the right to access support throughout the process. This includes academic and wellbeing [support from UHI Inverness](#), as well as free, confidential, and independent advice from Highlands and Islands Students' Association [\(HISA\) Advice Service](#), who can assist with understanding the procedure, preparing for meetings, and accessing further help, where needed.
- 3.2. This procedure applies to all students and explains how we deal with concerns about student behaviour that may go against our rules or policies. It is important to understand that this is not a criminal process. We use a different approach called the 'balance of probabilities'. This means we decide what most likely happened based on the evidence available and the idea of being 'innocent until proven guilty', which applies in court cases, doesn't apply in this process.
- 3.3. As per section Student Conduct Policy section 3.4, any breach of the Student Code of Conduct which may also constitute a criminal offence will be reported to the police and may lead to separate criminal proceedings. UHI Inverness will aim to discuss the situation with the student raising a concern prior to any police referral being made. However, due to our duty of care, UHI Inverness has an obligation to refer to the police in some circumstances regardless of whether the student(s) involved can be made aware of the action or support it.
- 3.4. As a general principle, UHI Inverness will always seek to disclose only relevant information as part of the Student Disciplinary Procedure. When a student makes a complaint about another student, the information they give may be used in a disciplinary process. It is important that both students are treated fairly, have a chance to explain their side, and can respond to what the other person says.
- 3.5. If a student raising a concern does not consent to the information they provide being used in a disciplinary investigation, they must inform staff. In some cases, such as those involving gender-based violence, students can request anonymity, and investigations may still proceed on that basis. However, in other cases, anonymity may make it more difficult to take the matter forward. Students are encouraged to seek support from their Personal Development Advisor (PDA) or Personal Academic Tutor (PAT) at UHI Inverness and/or the HISA Advice Service before making a decision, to fully understand the implications and receive impartial, confidential guidance.
- 3.6. Before meeting with a student, staff should ascertain if the student has a Personal Learning Support Plan (PLSP) that means they may need extra support during the investigation process. This support should be arranged prior to any discussion. Staff should be aware of the impact the student's PLSP may have on their experience of the disciplinary procedure. This also applies to any witnesses that may be interviewed. Where appropriate, staff are encouraged to consult with the student's PDA or PAT and/or the HISA Advice Service early in the process to ensure the student is fully informed of their rights and can access appropriate support.
- 3.7. The procedure has an accompanying Privacy Notice which should be considered by staff and students.

4. Exceptions

- 4.1. There are separate procedures for academic misconduct.
- 4.2. In situations where a student's conduct may be linked to a health condition, such as a mental health issue or a condition affecting understanding and/or judgement identified in a Personal Learning Support Plan (PLSP), additional support measures may be considered. This could include using the Support to Study Procedure or relevant Fitness to Practice procedures alongside, or instead of, the disciplinary process. However, depending on the nature and seriousness of the case, the academic partner may need to proceed with the Student Disciplinary Procedure, regardless of the individual's condition or other circumstances. Decisions will be made with care and discretion, ensuring that appropriate support is in place throughout.
- 4.3. This procedure is distinct from UHI Inverness' Complaints Handling Procedure. Breaches of the Student Code of Conduct cannot be investigated by the Complaints Handling Procedure. For further details on what constitutes a complaint please visit the [Complaints webpage](#).
- 4.4 **Police Investigations**
As per section 3.5 of the Student Conduct Policy, UHI Inverness will be unable to investigate any incidents whilst an official police investigation is underway, however precautionary actions may be taken to reduce risk, ensure the safety of others, and protect the integrity of the police investigation and a potential future UHI Inverness investigation. UHI Inverness will consult with the police during this period, and appropriate support will be provided to any students and staff involved.

5. Definitions

- 5.1. **Precautionary Action:** In the event of an allegation of misconduct, a student may be temporarily suspended from UHI Inverness e.g., removal of access to a course of study and/or specific building, until the investigation is completed if there is risk of harm to themselves, other students or staff. During this time, they will be able to continue to study remotely, where it is possible to do so, and will continue to receive student support funds. Precautionary action is not a disciplinary sanction and does not imply that misconduct has occurred. Its sole purpose is to protect the interests of all parties and to support a fair and safe investigation.

Precautionary action may include temporary measures such as restricting access to specific courses, buildings, or university and academic partner facilities while a matter is under investigation. These actions are not disciplinary outcomes but are taken to manage risk. Permanent exclusion from UHI Inverness is a possible outcome of the disciplinary process, not a precautionary measure.

Where precautionary action is to be used, The Access & Progression Manager or Tertiary Education Leader (or in cases where they are unavailable; a Duty Manager or Curriculum Leader in consultation with the Person in Charge or a TEL/member of EMT) should inform the student they are being suspended to allow an investigation to occur. It is encouraged that this is done by letter however, in a crisis, this can be done verbally in the first instance and followed by a letter.

- 5.2 **Suspension from Campus:** The removal of the student's access to all sites constituting UHI Inverness campus for a specified period of time in response to a

disciplinary incident. In some circumstances this suspension may extend to all university and academic partner campuses, and UHI owned accommodation. The student may continue to study remotely, where it is possible to do so, throughout this period.

Students have the right to seek advice and representation during this process from their PAT/PDA at UHI Inverness and/or from the HISA Advice Service, who can support students in understanding their rights in requesting a review or clarification of precautionary measures.

- 5.3 **Exclusion from Studies:** The removal from the student's course of study in response to a disciplinary incident, resulting in the loss of registered student status and loss of access to all facilities, including university owned accommodation.

In some circumstances this exclusion may apply to the university and all academic partners for a period of time deemed appropriate by the disciplinary procedure. In some cases, this may result in future applications from the student being rejected.

- 5.4 **Suspension of Studies:** A suspension of studies is not a disciplinary measure. When a student chooses to take a period of time out from their studies because of a change in their personal circumstances, with the intention to return at a later date. The option of suspension of studies is dependent on what the student's course allows and is only available to students studying at Higher Education (HE level SCQF level 7 and beyond). However, the disciplinary process will continue even if the student is not in attendance as the outcome may still impact the student's future return, progression, or the safety and wellbeing of others.

6. Procedure

- 6.1 It is widely acknowledged that disruptive conduct is a barrier to learning and can negatively impact on the learning and wellbeing of the student themselves and/or other students and staff. This procedure should be implemented promptly, as early intervention and support offered, as this can result in better outcomes for the student and may avoid the situation from escalating further.
- 6.2 All staff have a responsibility to promote a positive learning environment and challenge conduct contrary to the Student Code of Conduct. Staff should ensure that, when intervening in any situation, they consider their own safety as well as the safety of other staff and students. Reports of a suspected breach of the Student Code of Conduct should be logged using either the online reporting tool, or **Template R1: Making a Report** in the **Disciplinary Support Pack** and emailed to the Depute Curriculum Leader (DCL) and Curriculum Leader (CL) responsible for the student(s) concerned, within **5 days** of the alleged incident.
- 6.3 Students can report suspected breaches of the Student Code of Conduct to any member of staff. Should the report be of a personal or sensitive nature, students can discuss the issue with a member of staff they trust e.g. PDA/PAT at UHI Inverness, or they can speak to a representative from the Highlands and Islands Students Association (HISA) to find out more about the type of support they can offer.
- 6.4 Where a Duty Manager is required to respond to a disciplinary incident during the course of their duties, the matter should be referred to the appropriate Depute

Curriculum Leader (DCL) or Curriculum Leader (CL) responsible for the student(s) concerned. Duty managers can use the reporting form **Template R1: Making a Report** in the **Disciplinary Support Pack** or use the online form.

An appropriate member of the curriculum team will then follow the procedure to investigate the alleged incident from Section 7.

- 6.5 Members of staff should respond to any disclosures of the Student Code of Conduct **within 5 working days** (unless in a crisis which requires an immediate response) and formally acknowledge, by email, to the student that their disclosure is being actioned. (**Template R2: Responding to a Report** in the **Disciplinary Support Pack**) Staff can liaise with the Access & Progression Manager or Tertiary Education Leader (TEL) if they are unsure which process should be followed.
- 6.6 At any stage during the disciplinary procedure, if a student is found not to be responsible for suspected misconduct the investigation will be closed and no further action taken. Student(s) should be informed of this outcome by the member of staff investigating (using Template Letter **No Action** in the **Disciplinary Support Pack**). Any record of allegations will be removed from the student's record

7 Supporting the Interview and Investigation Process

- 7.1 Where a potential breach of the Student Code of Conduct is believed to have occurred, staff should undertake an interview process. **See Appendix 1: Supporting the Interview and Investigation Process** in The Disciplinary Support Pack
- 7.2 Before meeting with a student(s), staff should ascertain if the student or any witnesses has/have a Personal Learning Support Plan (PLSP) that means they may need extra support during the meeting. Please refer to Principles section 3.6 for further information.
- 7.3 Where possible, the student should be provided with notice of any meeting at least **48 hours** in advance using the relevant template in the Disciplinary Support Pack
- 7.4 The student should be advised that a disciplinary process is being instigated and be provided with a copy of the Student Disciplinary Policy, Procedure and Student Code of Conduct prior to any informal discussion or formal interview taking place.
- 7.5 All students scheduled for a meeting, including the student who is alleged to have breached the Student Code of Conduct, should be offered the opportunity to be accompanied by a supporter of their choosing (other than legal representative or another student involved in the incident). The student can approach their PDA/PAT at UHI Inverness or HISA Student Advice Service to find out more about the type of support they offer.
- 7.6 The staff member investigating will identify all witnesses and individuals involved in the suspected misconduct and collect any relevant evidence. Where it is considered necessary to interview a witness or those involved, the staff member along with an appropriate member of staff to take minutes should meet with each of these people individually. Discussions may be held with other staff and/or students to ascertain the

situation and verify events. Where appropriate, staff may be required to liaise with external parties regarding a disciplinary case.

- 7.7 Where the student suspected of misconduct declines to attend an interview or does not attend an interview without a valid reason for their absence, they should be advised that the investigation will carry on regardless and an outcome reached in their absence
- 7.8 A suitable staff member should take brief notes of each discussion along with gathering any evidence which may indicate whether the suspected misconduct has taken place. Each individual should receive a copy of the notes from their interview for confirmation of accuracy along with a request for acknowledgment. Should a student not respond within 3 working days, the notes will be assumed to be accurate.
- 7.9 Once the investigation process is complete and if the staff member investigating is satisfied that a breach of the Student Code of Conduct has taken place, a decision about which appropriate sanction, or escalation, should be made.
- 7.9 The investigating staff member (or suitable alternative directed by the investigator with cognisance of the support needs of the student(s) concerned) should meet with the student(s) to discuss the outcome and any expected changes to behaviour required, the sanctions being issued and their intended duration.
- 7.10 The investigating staff member (or suitable alternative directed by the investigator with cognisance of the support needs of the student(s) concerned) will arrange for an official notification of the sanction(s), and any possible supplementary action plan, to be sent to the student. The outcome should be documented on the UHI student record and on the INSIGHT tracker.
- 7.11 The investigating staff member will send the student(s) /staff member(s) who raised the initial concern a confirmation that the investigation process has been completed using **Template IC Notification of Investigation Completion** in the **Disciplinary Support Pack**.
- 7.12 All investigations should be completed within a timeous period once the incident becomes known by staff to reduce any potential disruption and distress to those involved. The investigation should take 10 working days, however, holidays and student/staff absence during this period should be accounted for sensitively. All parties will be communicated with regarding any delays and alternates will be appointed in a timely fashion, if absence is likely to prevent the investigation progression.

8. INFORMAL STAGE (EARLY INTERVENTION)

- 8.1 All staff are expected to challenge behaviours which do not meet the expectations set out in the Student Code of Conduct. Taking a unified and consistent approach to managing low levels of disruption and unwanted behaviours both within the classroom and wider college environment can prevent more serious breaches from occurring.

Conduct at this stage is not precisely defined, as it will depend on the specific context. However, it is likely to cover less serious concerns or isolated incidents that have a limited impact on staff or other students.

Examples may include classroom disruption, verbal disagreements, vaping in a non-designated area or similar behaviours. Please refer to the Student Code of Conduct and Disciplinary Support Pack (Examples of Misconduct by Stage of Disciplinary) for further examples and speak to the Access and Progression Manager for guidance.

- 8.2 The lecturer/PDA/PAT is encouraged to have an informal chat with the student(s) to discuss the concern(s) and to remind them of the expectations set out in the Student Code of Conduct.
- 8.3 The lecturer/PDA/PAT should invite the student(s) concerned to attend an informal discussion using either (**Template 1a** or **1b** in the **Disciplinary Support Pack**). And follow the guidelines in section 6.6. **Appendix 1: Supporting the Interview and Investigation Process** in the **Disciplinary Support Pack** is available to support staff.

8.4 Potential Outcomes and Sanctions

- 8.4.1 Once an informal discussion(s) has taken place, and any relevant evidence has been gathered and reviewed, the staff member should take one of the following actions:
- 8.4.2 If there is insufficient evidence to prove misconduct or no misconduct is proven, then no further action will be taken. The student(s) should be informed using the **No Formal Action Template** in the **Disciplinary Support Pack**
- 8.4.3 If there is evidence of misconduct, it may be deemed appropriate to issue an Informal Warning (using Template INF S1 in the Disciplinary Support Pack) and to create a **Behaviour Action Plan**. Potential sanctions will be held on the student's UHI Record, and INSIGHT TRACKER, for **3 months**.
- 8.4.4. A Behaviour Action Plan should be created with the student(s) which sets out the expectations they should meet (using **the Behaviour Action Plan: Template 1** in the **Disciplinary Support Pack**). This should be monitored by both the lecturer or relevant DCL and PDA/PAT to ensure the student(s) are meeting the expectations set out in the Student Code of Conduct. Non-compliance with the Behaviour Action Plan may result in an escalation to the next stage of the disciplinary process.
- 8.4.5. The Behaviour Action Plan and notice of the Informal Warning should be sent by the member of staff leading the discussion to the student(s) concerned to summarise the discussion held and to act as a reminder of the agreed changes to behaviour.
- 8.4.6. The student(s) must be notified that a record has been made of the discussion and that no further action will be taken unless misconduct continues or escalates. This note will be held on a student's record for **3 months** but may be extended for the remainder of the academic year, at the discretion of staff. The student must be notified of this extension and the reasons for it.
- 8.4.7. Where there is an indication of more concerning behaviours or where further investigation is required, the matter may be escalated to the next stage of the disciplinary procedure. **See section 9**
- 8.4.8. Repeated low-level misconduct should be raised with the Depute Curriculum Leader (DCL) and PDA/PAT. Should the misconduct continue or escalate, the

formal disciplinary procedure will be considered. **See Section 9: Formal Disciplinary: Stage 1**

- 8.4.9. The member of staff leading the process should provide feedback to the member of staff or student(s) who initially reported the misconduct, using **Template IC** in the **Disciplinary Support Pack**. When providing feedback, staff must adhere to GDPR requirements and should not disclose details of any sanctions, outcomes, or actions taken as a result of the investigation.
- 8.4.10 The student has the right to make an appeal against the outcome under the specific circumstances outlined in Section 13.

9. FORMAL DISCIPLINARY: STAGE 1

- 9.1 Where a more serious breach of the Student Code of Conduct is suspected, or where previous informal discussions or other sanctions have been ignored, the reporting member of staff should discuss the situation with the PDA/PAT and Investigating Manager. Conduct at this stage is not precisely defined, as it will depend on the specific context. However, it is likely to include repeated or escalated concerns that have previously been addressed at the informal stage, or more serious incidents that have an impact on staff or other students. Examples may include verbal abuse, sending repeated unwanted messages, defacing college property (such as toilet walls), or similar behaviours. Please refer to the Student Code of Conduct and Disciplinary Support Pack (Examples of Misconduct by Stage of Disciplinary) for further examples and speak to the Access and Progression Manager for guidance.
- 9.2 The Investigating Manager should notify the student(s) concerned of a request to attend a disciplinary interview to discuss any potential breach of the Student Code of Conduct. Please refer to section 7 for guidance on **Supporting the Interview and Investigation Process**.
- 9.3 At this stage of the disciplinary process **Template FS1a/b Invitation to a Disciplinary Investigation** in the **Disciplinary Support Pack** should be used.
- 9.4 Where the student suspected of misconduct declines to attend an interview or does not attend an interview without a valid reason for absence, they should be advised that the investigation will carry on regardless and an outcome reached in their absence.

9.5. Potential Outcomes and Sanctions

- 9.5.1 Once all relevant information and evidence have been gathered and reviewed, the PDA/PAT and Investigating Manager will then consider the incident alongside the student's conduct to date generally and take one of the following actions.
- 9.5.2 If there is insufficient evidence to prove misconduct or no misconduct is proven, then no further action will be taken. The student(s) should be informed using the No Formal Action Template in the Disciplinary Support Pack.
- 9.5.3 Provided the Investigating Manager is satisfied that a breach of the Student Code of Conduct has taken place, they can issue a **Written Warning** (using

Template FS1 Written Warning in the Disciplinary Support Pack) to the student.

- 9.5.4 Should the evidence suggest that the misconduct is not serious enough to merit a Written Warning, the lecturer, PDA or PAT can use an **Informal** sanction instead, following the guidance in Section 8. Conversely, should the evidence suggest the misconduct is more serious than Formal Stage 1, proceeding to Formal Stage 2 should be considered, following the guidance in Section 10.
- 9.5.5 At the point of issuing the Written Warning, the Investigating Manager should meet with the student and discuss their conduct, outlining the impact on others and emphasising the need to change. Strategies that will lead to improvements should be discussed and agreed with the student and recorded using **the Behaviour Action Plan: Template FS1 in the Disciplinary Support Pack**). This should be monitored by both the relevant DCL and PDA/PAT to ensure the student(s) are meeting the expectations set out in the Student Code of Conduct. The student should be informed that repeated misconduct or Non-compliance with the Behaviour Action Plan may lead to a Stage 2 Formal Disciplinary Procedure. See Section 10.
- 9.5.6 The Investigating Manager will arrange for an official notification of the Written Warning, (**OUTCOME FS1 in the Disciplinary Support Pack**) and the supplementary Behaviour Action Plan, (**Template FS1 in the Disciplinary Support Pack**) to be sent to the student. The warning should be documented on the UHI student record and on the INSIGHT Tracker.
- 9.5.7 The Written Warning will remain in place for **6 months**. Students who re-enrol on a course within 6 months should have the Written Warning retained on the UHI Student Record.
- 9.5.8 If concerns about the student's conduct have passed, the Written Warning will normally be expunged after 6 months, but if concerns remain around the student's conduct the Written Warning can remain in place until the end of the academic year at the discretion of staff. The student must be notified of this extension and the reasons for it.
- 9.5.9 The Investigating Manager, PDA or PAT should provide feedback to the member of staff that initially reported the misconduct where relevant.
- 9.5.10 The student has the right to make an appeal against the outcome under the specific circumstances outlined in Section 13.

10. FORMAL DISCIPLINARY: STAGE 2

- 10.1 Where conduct which has previously received a Written Warning recurs, or where concerns around unrelated conduct arise, or where there is a singular serious breach of the Student Code of Conduct, the Stage 2 Formal Disciplinary Procedure will be initiated.

Conduct at this stage is not precisely defined, as it will depend on the specific context. However, it is likely to include incidents that have a serious impact on the safety, wellbeing, or experience of staff, and/ or other student(s) or the wider college

community. Examples may include physical assault resulting in injury to another party, intentional remarks of a discriminatory nature, careless or reckless behaviour that creates a health and safety risk to other students, or similar conduct. Please refer to the Student Code of Conduct and Disciplinary Support Pack (Examples of Misconduct by Stage of Disciplinary) for further examples or speak to the Access and Progression Manager for guidance.

- 10.2 The Investigating manager should arrange for the student(s) concerned to be notified of a request to attend a disciplinary interview to discuss any potential breach of the Student Code of Conduct. Please refer to section 7 for guidance **on Supporting the Interview and Investigation Process.**
- 10.3 At this stage of the disciplinary process **Template FS2a/b Invitation to Attend a Formal Disciplinary Investigation Meeting** in the **Disciplinary Support Pack** should be used.
- 10.4 Where the student suspected of misconduct declines to attend an interview or does not attend an interview without a valid reason for absence, they should be advised that the investigation will carry on regardless and an outcome reached in their absence.
- 10.5 The Investigating Manager will consider the suspected breach of the Student Code of Conduct alongside the student's conduct to date and any extenuating circumstances known by the PDA/PAT. The Access & Progression Manager and/or Curriculum Leader (CL) should also be consulted for guidance on appropriate steps at this stage.

10.6 Potential Outcomes and Sanctions

- 10.6.1 If there is insufficient evidence to prove misconduct or no misconduct is proven, then no further action will be taken. The student(s) should be informed using the **No Formal Action Template** in the Disciplinary Support Pack
- 10.6.2 Provided the Investigating Manager is satisfied a breach of the Student Code of Conduct has taken place, the Investigating Manager can issue a **Final Written Warning (Outcome FS2 in the Disciplinary Support Pack)** At the point of issuing the **Final Written Warning**, the Investigating Manager should meet with the student and discuss their conduct, outlining the impact on others and emphasising the need to change. Strategies that will lead to improvements should be discussed and agreed with the student and recorded using **the Behaviour Action Plan: Template FS2** in the **Disciplinary Support Pack**). This should be monitored by both the relevant DCL and PDA/PAT to ensure the student(s) are meeting the expectations set out in the Student Code of Conduct. The student should be informed that repeated misconduct or Non-compliance with the Behaviour Action Plan may lead to a Stage 3 Disciplinary Procedure See Section 11.10.6.3 Should the evidence suggest that the misconduct is not serious enough to merit a **Final Written Warning**, the Investigating Manager can revert to Formal Disciplinary Stage 1, following the guidance in Section 9 onwards. Conversely, should the evidence suggest the misconduct is more serious than Stage 2, proceeding to Stage 3 should be considered, following the guidance in Section 11.
- 10.6.4 When issuing the **Final Written Warning**, the Investigating Manager (DCL) should send the outcome letter (**Outcome FS2**) and any supplementary

Action Plan, (**Template FS2**) to the student(s) concerned. A copy of the outcome should also be sent to Access & Progression Manager, and the Curriculum Leader (CL). The appropriate outcome should be logged on the UHI Student Record and on the INSIGHT TRACKER.

- 10.6.5 A Final Written Warning will be held on the Student's UHI Record and INSIGHT Tracker for **12 months**. Students who re-enrol on a course within 12 months, and have a **Final Written Warning** retained on the UHI Student Record system may be interviewed prior to receiving a course offer to ensure they are aware of the behaviour expectations set out in the Student Code of Conduct.
- 10.6.6 If concerns about the student's conduct have passed the Final Written Warning will normally be expunged after 12 months, however if concerns remain around the student's conduct the Final Written Warning can remain in place up to an additional 6 months at the discretion of staff. The student must be notified of this extension and the reasons for it.
- 10.6.7 The Investigating Manager or PDA/PAT should provide feedback to the member of staff that initially reported the misconduct where relevant.
- 10.6.8 The student has the right to make an appeal against the outcome under specific circumstances. Further information is included in Section 13.

11. FORMAL DISCIPLINARY: STAGE 3 (Including Gross Misconduct)

- 11.1 A Stage 3 Formal Disciplinary will be initiated where there is:
- Repeated breach(es) of the Student Code of Conduct for which the student has previously received warnings
 - A single instance of suspected gross misconduct e.g., conduct serious enough that, if proven, it may lead to exclusion or withdrawal from UHI Inverness.
- 11.2 Gross misconduct includes the most serious breaches of the Student Code of Conduct. Gross misconduct is not precisely defined as it is contextual but is likely to involve serious criminal misconduct, carrying weapons with an intent to use them, serious damage to property, substance misuse and/or distribution, verbal abuse including making threats to life, physical and/or gender-based violence. which may or has resulted in serious injury or may have a lasting impact to staff and or other students *Please see the Student Code of Conduct and Disciplinary Support pack for further examples.*
- 11.3 Should a member of staff believe the Stage 3 Formal Disciplinary Procedure may be appropriate; The Curriculum Leader (CL). Should discuss the alleged incident with the Access & Progression Manager or the Tertiary Education Leader (TEL) the These members of staff should make a decision about whether to proceed to Stage 3 Formal Disciplinary procedure.

- 11.4 Prior to an investigation into the suspected breach of the Student Code of Conduct, consideration should be given by the Access & Progression Manager and the Tertiary Education Leaders as to whether precautionary action should be taken (see Section 5.1 of this procedure and Section 2.5 in the Student Disciplinary Policy). (*Should neither be available a Duty Manager or Curriculum Leader, in consultation with the Person in Charge or a member of EMT can make this decision).
- 11.5 Where precautionary action is required, the Access & Progression Manager or Tertiary Education Leader (TEL) (*Duty Manager or Curriculum Leader) will inform the student in person of the precautionary action and the reasons for the decision, where it is possible to do so. Notification of this action will be confirmed in writing. (Use **Template FS3a. Suspension Pending Investigation**, in the Disciplinary Support Pack).
- 11.6 An appropriate member of staff will be appointed as Investigating Manager by the Access & Progression Manager or Tertiary Education Leader (TEL). Any potential conflicts of interests should be avoided when appointing an Investigating Manager.
- 11.8 The Investigating Manager will notify the student alleged to have breached the Student Code of Conduct and provide them with details of the alleged offense using **Template FS3b/c** in the Disciplinary Support Pack. The Investigating Manager should be mindful of the level of detail provided to ensure other students are not placed at risk. The content of data shared will be determined on a case-by-case basis.
- 11.9 The Investigating Manager should follow the guidance provided in Section 7 Supporting the Interview and Investigation Process. (Further guidance provided in Appendix 2: **Supporting the Formal Investigation Process Stage 3** in the Disciplinary Support Pack). At this stage of the disciplinary process **Template FS3b/c. Invitation to Attend a Disciplinary Investigation Meeting** in the Disciplinary Support Pack should be used.
- 11.10 Prior to interview, students may wish to provide a written statement detailing their version of events.
- 11.11 All student(s) interviewed, including the student who is alleged to have breached the Student Code of Conduct, should have the right to be accompanied by a supporter of their choosing (other than a legal representative or another student involved in the incident or investigation). Students are strongly encouraged to contact their PDA/PAT at UHI Inverness or the HISA Advice Service, whose trained staff can provide free, confidential and independent support. This includes help with understanding the disciplinary process, preparing for meetings or hearings, and emotional support throughout the investigation.
- 11.12 Where the student(s) suspected of misconduct declines to attend an interview or does not attend an interview without a valid reason for their absence, they should be advised that the investigation will carry on regardless and an outcome reached in their absence. In some cases, actions may include proceeding to a disciplinary hearing which the student(s) will be requested to attend.

- 11.13 At the end of the investigation process the Investigating Manager will complete the **Stage 3 Investigating Manager's Checklist** (See Template FS3 Investigating Manager Checklist in the Disciplinary Support Pack) and provide a recommendation on whether there is a disciplinary case to answer to the Access and Progression Manager and the relevant Tertiary Education Leader (TEL). The recommendation will be accompanied by any evidence relating to the suspected breach of the Student Code of Conduct collected during the investigation, including statements from staff and/or students.
- 11.14 The recommendation will include details of any previous disciplinary action and an overview of the student's engagement with their studies to date. The Investigating Manager will not make recommendations on potential sanctions during the investigatory process.
- 11.15 The Access & Progression Manager and a Tertiary Education Leader (TEL) will decide whether to proceed to a Disciplinary Hearing, based on the recommendation from the Investigating Manager and the evidence collected during the investigation or for the Investigating Manager to issue an alternative sanction based on the evidence provided
- 11.16 After discussion with the Access and Progression Manager and a Tertiary Education Leader (TEL) the Investigating Manager will issue the student(s) concerned with a written acknowledgement of the disciplinary outcome. This outcome should also be logged on the UHI Student Record and on the INSIGHT TRACKER.
- 11.17 The student has the right to make an appeal against the outcome under specific circumstances. Further information is included in Section 13.
- 11.18 Should the Access & Progression Manager and Tertiary Education Leader (TEL) choose not to proceed to a Disciplinary Hearing; their rationale should be recorded and all records retained for as per the retention schedule.

12. DISCIPLINARY HEARING

- 12.1 Should the Access & Progression Manager, and Tertiary Education Leader (TEL) decide to proceed to a disciplinary hearing, it will take place within **15 working days** of the Investigating Manager making their recommendation. Where this is not possible due to academic holidays and/or student/staff illness the student(s) will be advised in writing. All parties will be communicated with regarding any delays and alternates will be appointed in a timely fashion if absence is likely to prevent the investigation progressing.
- 12.2 Students will normally receive at least **5 working days'** notice for a disciplinary hearing where suspension, exclusion, or withdrawal is being considered. This notice should include.
- ☐ A clear statement of the allegations and potential outcomes

- ☐ An information pack containing the evidence being considered by the panel, being mindful of the level of detail provided to ensure other students are not placed at risk
- ☐ Information about the student's right to submit additional evidence
- ☐ Clear details of their right to bring a supporter or representative and contact information from their PAT/PDA and/or HISA Advice Service.

Please see Template FS4 Invitation to Disciplinary Panel in the Disciplinary Support Pack.

- 12.3 Students may request a postponement if they can demonstrate that additional time is needed to prepare (for example, to obtain medical evidence, secure witness statements or accommodate a PLSP). The student should make such requests at least **2 working days** in advance of the hearing, providing their reasons and any relevant evidence to support their request. Such requests should be considered sympathetically and without prejudice unless there are compelling safety reasons to proceed urgently. Any postponement would normally be limited to a maximum of 5 working days.
- 12.4 **The Disciplinary Hearing Panel** should consist of three members, plus a scribe. At UHI Inverness the panel will include a Tertiary Education Leader, Professional Services Manager or Curriculum Leader and one other manager. (At least one of the panel members should be of a senior enough level to be able to decide on withdrawing or excluding a student). Where the latter is not possible the panel outcome should be passed to a relevant senior member of staff after the meeting who can take this decision within a timeous manner. It is recommended that at least one of the managers on the panel is from another curriculum area to the student(s) concerned.
- 12.5 The purpose of the meeting is to:
- Establish whether the alleged incident took place
 - Explore the reasons for alleged incident
 - Establish whether the student is committed to correcting their conduct
 - Explore how the student can be supported if they continue with their studies
 - Consider any information that was not available during the investigation
 - Determine any disciplinary action that should be taken against the student
 - Determine whether the actions constitute gross misconduct
 - Determine any disciplinary action that should be taken against the student
 - Determine whether the circumstances are such that the student should be excluded from their studies or from the campus (and/or all UHI campuses)
- 12.6 The chair of the Disciplinary Hearing panel should ensure the student understands the possible outcomes of the hearing and their right to appeal any decision.
- 12.6.1 Students facing disciplinary are often under stress and may not fully understand the possible outcomes of their right to challenge a decision. Making this an explicit aim of the hearing affirms that the process is not just punitive but guided by fairness, transparency, and the student's right to due process. Clearly stating this expectation encourages panel members to take time to explain

outcomes in plain language and gives students confidence that they are being treated with dignity and respect.

12.7 Potential Outcomes of a Disciplinary Hearing

- 12.7.1 The disciplinary hearing panel has scope to take disciplinary action that may include one or more of the following:
- No further action
 - Informal Warning and associated Behaviour Action Plan
 - Written Warning and associated Behaviour Action Plan
 - Written apology to the aggrieved party/parties
 - Compulsory attendance at a workshop/coaching session
 - Restrictions/conditions on attendance
 - Fines for wilful damage, theft or non-return of equipment
 - Final written warning
 - Exclusion from campus
 - Exclusion from their studies
 - De-registration (postgraduate research students)
 - Permanent exclusion from the university and all academic partners
 - Removal of university award
- 12.7.2 The student must be informed of the outcome of the disciplinary hearing in writing within **three working days** of the meeting using **Template FS4 Panel Outcome** in the Disciplinary Support Pack.
- 12.7.3 If the issue is deemed **not** to be **gross misconduct** the length of time the outcome remains on the student record will be determined on the seriousness of the sanction/outcome. For example, a final written warning would be retained on student record for 12 months. Students who re-enrol on a course in the university partnership within the sanction/outcome period should have the hearing outcome retained on their UHI Student Record. If concerns about the student's conduct have passed, the hearing outcome will normally be expunged after the sanction/outcome period. If concerns remain around the student's conduct the sanction can remain in place for an additional period of time. The student must be notified of this extension and the reasons for it.
- 12.7.4 Students who wish to re-enrol on any course and have a warning retained on the UHI Student Record or relevant system may be interviewed prior to receiving a course offer to ensure they are aware of the behaviour expectations set out in the Student Code of Conduct.
- 12.7.5 If the issue is deemed to be **gross misconduct** the outcome of the hearing will be attached to the student **permanently** on the UHI Student Record and may be taken into account determining any future university partnership applications. The decision to classify the issue as gross misconduct is at the discretion of the Disciplinary Hearing panel (see Section 12.5).
- 12.7.6 Certain disciplinary outcomes, particularly exclusion from studies, deregistration, or permanent exclusion, may affect a student's access to

funding, academic progression, and student support services. Where this is the case, students will be provided with clear information about these consequences in writing.

Students are encouraged to seek advice from their PDA/PAT at UHI Inverness or the HISA Advice Service to understand the implications of any sanction and to receive support in managing their next steps.

12.7.7 The student has the right to make an appeal against the outcome under specific circumstances. Further information is included in Section 13.

12.7.8 A student deemed not to have committed gross misconduct, but whose behaviour does not improve, should be referred via Stage 3 again. A re-referral to stage 3 may result in a more serious sanction e.g. exclusion.

13. APPEALS

13.1 A student may appeal against any disciplinary action taken against them. Appeals will only be considered on the following grounds:

- That the Student Disciplinary Procedure was not followed correctly
- That there was prejudice and/or bias on the part of the Investigating Officer or any disciplinary hearing panel members which affected the outcome
- That the disciplinary action imposed is thought to be disproportionate to the offence
- That there is new evidence, or new information about existing evidence, which could not have been made reasonably available during the original determination.

13.2 Students are encouraged to seek assistance from their PDA/PAT at UHI Inverness or the HISA Advice Service when preparing for an appeal. HISA Advice Service staff can help students understand the process, draft a written statement, and ensure their concerns are clearly presented.

13.3 Appeals must be made in writing to the appropriate Tertiary Education Leader (TEL). The appeal must be made in writing by email within **5 working days** of receiving the outcome of disciplinary action and must state the grounds on which the appeal is being made.

13.4 Appeals will not be considered for any other reason or through any other means than those outlined above. (Sections 13.1- section 13.4).

13.5 The appeal will be considered by the Tertiary Education Leader (TEL) who will respond to the student within **5 working days** of receiving the appeal. Once the outcome has been decided there is no recourse to further appeal.

13.6 No change to the student's enrolment status should be made until the appeals process is complete as this could impact their access to email, support services and funding.

13.7 If a student has concerns about the fairness of the appeal process itself, they may raise formal complaint via the [UHI Inverness Complaints Handling Procedure](#).

14. SCHOOL PUPILS

- 14.1 School pupils include all learners studying any level of programme during their senior phase (S4-S6) of high school including those who are home educated and those who attend UHI Inverness as part of the Exceptional Entrant Programme (Christmas Leavers).
- 14.2 Appropriate intervention should be taken during class time to minimise disruption to learning by following general principles of classroom management. Should behaviour escalate to a stage where it is felt that early intervention is required, as outlined in Section 8, the UHI Inverness School Team should be informed at the earliest opportunity and will provide guidance and support
- 14.3 The UHI Inverness School Team will work with the school pupil, their parent/guardian and the relevant contact in school, alongside curriculum staff at UHI Inverness to encourage a positive behavioural outcome.
- 14.4 The Access & Progression Manager or, in their absence, the relevant Tertiary Education Leader (TEL) has a duty of care for all school aged pupils studying at UHI Inverness both online and on campus and will oversee all formal stages of the disciplinary process.
- 14.5 The Access & Progression Manager will ensure that all relevant contacts from the local Education Authority and appropriate members of the pupil's school, their parents/guardians and any relevant community partners will be informed of our intention to use the Student Code of Conduct as part of our formal disciplinary process as well as informing them of any disciplinary outcomes related to the school pupil and the implications this will have on their learning and progression at UHI Inverness. In circumstances where the Access and Progression Manager is unavailable. The Curriculum Leader (CL) or Depute Curriculum Leader (DCL) will liaise with a member of the School's Team and/or Tertiary Education Leader who will contact the Local Authority School College Liaison to relay communications to the appropriate education contacts.
- 14.6 School pupils studying on Senior Phase Programmes can seek support from their school guidance teacher. School pupils studying on our HNC programme and exceptional entrant programmes can access all UHI Inverness and HISA supports available to students at UHI Inverness.

15. APPRENTICES

- 15.1 The Business Solutions Team at UHI Inverness or Managing Agent if applicable, will be informed of any concerns around disciplinary incidents involving apprentices.
- 15.2 The Business Solutions Team or Managing Agent has a duty of care to inform employers when there is evidence that an apprentice has breached the Student Code of Conduct and will consult with appropriate business contacts to inform them of the Disciplinary Process and any sanctions which may be imposed as a result of a UHI Inverness investigation.

- 15.3 Employers may be included in the UHI Inverness Investigation process at the discretion of the Business Solutions Team or Managing Agent, in liaison with the Investigating Manager.
- 15.4 Throughout the disciplinary process, apprentices may access support from a member of the Business Solutions Team (provided there is no actual or perceived conflict of interest) Such support may include guidance, signposting to appropriate services, and access to independent sources of advice as required, such as UHI [Inverness Support Teams](#), and the Highlands and Islands Students' Association [\(HISA\) Advice Service](#).
- 15.5 Apprentices may be subject to further disciplinary action as a result of their employer's disciplinary policies and procedures.

16. APPENDIX

All templates can be found in the Disciplinary Support Pack: [Student Disciplinary & Code of Conduct](#)