

## WITHDRAWAL PROCEDURES FOR THE REMOVAL OF A STUDENT 2022

The procedure is designed to help and to encourage students to achieve and maintain acceptable standards of behaviour.

**LanguageUK may act if a student's conduct fails to meet the standards required. This may include neutral withdrawal from a course, on the following grounds:**

- Where the allegation of misconduct by the student is in line with the Policy on Unacceptable Behavior.
- Where the student breaches the regulations Examples of such breaches, which do not constitute an exhaustive list, include:
- Where the student fails to comply with a code of conduct.
- Where the student is repeatedly absent without satisfactory notice and explanation.
- Where criminal investigations affect the professional suitability of the student.
- Where the student is unsuitable and/or unsafe due to a state of mind or health.
- Where there is an allegation the student falsified documents relating to an exam.

The procedure is built on the principle that decision-making will be free from bias or conflict of interest. Any judgement made will be based on the evidence provided by all parties.

Investigations into allegations of misconduct will be carried out in a timely, objective, and thorough manner, with due regard to confidentiality

Any disciplinary action taken must satisfy the test of reasonableness in all the circumstances and be proportionate to the offence.

### Commitments

In considering any allegations, appropriate attention will be paid to the requirements of the Equality and Diversity Policy. Reasonable adjustments will be made for those with disabilities, specific learning difficulties or long-term medical conditions to ensure that the procedure can be applied equitably to all students.

All proceedings should be conducted based on strict confidentiality.

Whilst confidential information may need to be disclosed to appropriately consider and investigate the allegation, this will only be to those staff involved in or relevant to proceedings.

All documentation, correspondence, and information in relation to student disciplinary investigations and proceedings will be treated as strictly confidential.

The formal outcome and evidence on which decisions were reached will be retained by the administration office.

At every stage in the procedure, the student will be informed of the nature of the allegation against him/her. The student will be given the opportunity to respond to the allegation and state his or her case before any decision is made.

At every stage in the procedure, the student has the right to be accompanied by a friend. The role of the friend is to act as an observer, give moral support and to assist the student to make their case. The friend should not also be a witness to the alleged incident.

It is in the interests of all to resolve disciplinary matters as quickly as possible

If a student under the age of 18 is involved in any disciplinary action, his/her parent/guardian will be informed. LanguageUK reserves the right to report any incident to the police where the alleged misconduct may constitute a criminal offence and has been committed against LanguageUK or where there is suspected terrorist activity.

**Stages:****Early intervention and informal resolution (informal stage)****Conducted by DoS and a member of the Safeguarding team**

LanguageUK encourages open and transparent communication between staff and students to identify and remedy minor incidents of misconduct as speedily and as effectively as possible.

Where attempts have been made at early intervention and informal resolution but there are repeated incidents of misconduct or, because of discussion with the student, the matter is found to be more serious than it initially appeared, the principal may initiate formal stage proceedings.

**Formal stage**

On the instigation of formal stage proceedings, a Safeguarding Officer appointed by the Principal to carry out a preliminary investigation to establish whether there is sufficient evidence to support the allegation of misconduct and, if so, to determine whether it should be classified as minor or major misconduct.

The principal will request a meeting with the student to discuss the allegation.

A meeting will be set to include Principal, DoS and the Safeguarding team to discuss if the student is guilty.

**Written warnings**

Any written warnings will remain on the student's record for the duration of his/her studies and will be taken into consideration if a further proven case of misconduct occurs. Written warnings should make it clear to the student what the warning is for and the potential consequence of any subsequent actions that constitute misconduct.

**Expulsion**

Only the Principal can expel a student.

**Notification of outcome**

The Principal will confirm the outcome of the disciplinary proceedings to the student in writing, normally within five working days. In all cases, the student will be provided with a rationale for the decision.

**Policy written Jan 2020**

**Reviewed October 2020**

**Reviewed October 2021**

**Next review November 2022**