

Student Non Academic Conduct and Disciplinary Policy and Procedure 2025-2026

Policy Statement

Students of **Shockout Academy**, in partnership with the **Bolton College**, are expected to behave as mature, responsible, and professional independent learners. This policy sets out how we respond when behaviour and/or conduct falls short of those expectations. It aims to protect a safe, respectful environment conducive to learning and aligned with the values of both institutions.

The **Senior Management Team (SMT)** may make reasonable and proportionate adjustments to the operation of this procedure to reflect legal obligations, best practice, and changing circumstances.

1. Purpose and Scope

1.1 Purpose

To define standards of non-academic conduct and the procedures for addressing alleged misconduct in a way that is prompt, fair, consistent, and transparent.

1.2 Relationship to Academic Misconduct

This procedure does **not** cover Academic Misconduct (e.g., plagiarism, cheating, exam misconduct). Where a case spans both academic and non-academic matters, the relevant procedures may run **concurrently** with appropriate coordination.

1.3 Principles

Following this procedure ensures disciplinary matters are handled consistently, proportionately, and with opportunities for support and improvement.

1.4 Student Agreement

By joining Shockout and the Bolton College communities, students agree to abide by all institutional policies and procedures (see website policy areas), including but not limited to:

- Academic Misconduct Regulations and Procedures
- Code of Practice on Postgraduate Research Programmes
- Examination Procedures
- Fitness to Practise Procedure
- Health and Safety Policy
- Library Rules and Regulations
- Mental Health Policy
- Policy on the use of illegal drugs and misuse of legal drugs by students
- Prevent Policy
- Student Admissions Policy

- Student Attendance Policy
- Student Complaints Procedure

1.5 Informal Resolution

Where appropriate, staff and students should seek to resolve concerns **informally**. Concerns and expected improvements should be clearly explained; a brief written summary of any informal outcome should be provided to the student.

1.6 Escalation

If improvement does not occur, or the matter is sufficiently serious, the **formal procedure** (Section 6) will be invoked.

1.7 Fitness to Study / Mental Health

If behaviour may be linked to illness or mental health, the **Health, Wellbeing and Supported Study / Fitness to Study** procedure may be applied (alongside or instead of disciplinary action, as appropriate).

1.8 Fitness to Practice (where applicable)

Where professional standards apply, initial investigation (Section 4) may include immediate risk-mitigating action. Following the disciplinary process, cases may also be considered under **Fitness to Practise**.

1.9 Duty of Care

Shockout and the Bolton College may take decisions to protect individual students and/or the wider student body where necessary.

2. Variations to the Procedure

2.1 Legal/Best Practice Alignment

The institutions reserve the right to vary any stage to meet legal obligations or best practice.

2.2 Delegation

Actions assigned to a specific role may be delegated to an appropriately senior/experienced nominee to avoid conflicts or cover absence.

3. General Principles

3.1 Conduct of the Process

- a) **Natural justice** applies in all cases.
- b) Meetings may be in person or via secure video; participants are normally expected to keep cameras on.
- c) **No** formal sanction will be imposed before completion of the **initial investigation** (Section 4). Minor issues should normally be resolved informally.
- d) If **criminal proceedings** are underway, this procedure will normally pause until those are concluded.
- e) The **Investigating Officer** (Section 4.1), in consultation with Principalship, decides if and at what level the formal procedure should start.

- f) **Summary exclusion** (without notice) may be applied after investigation/hearing where serious misconduct is indicated.
- g) Students have a **right of appeal** against any sanction (Section 8).
- h) At formal stages, students may be accompanied by a **companion** (not a legal representative). If a chosen companion is unreasonable (conflict of interest, or unavailable beyond five working days), a different companion may be required.
- i) Only the **Principal** (or SMT nominee, informing the Principal) may **suspend** a student (Section 5).
- j) Only the **Principal** (or the SMT) may **expel** a student.
- k) **Reasonable adjustments** will be made for students with disabilities; related policies will be applied where appropriate.

3.2 Notice of Hearings

Normally **10 working days' notice** is given for disciplinary or appeal hearings (longer/shorter only in justified exceptional circumstances).

3.3 Confidentiality & Records

- a) Matters are handled sensitively and confidentially, as far as possible. All parties (including witnesses) must keep information confidential.
- b) Audio/video recording of meetings is **not permitted** by any party. A note-taker will be appointed for formal meetings.

4. Initial Investigative Stage

4.1 Appointment & Scope

An **Investigating Officer** (Shockout SMT or Bolton College staff at Grade 7+, not on Executive Board, and unconnected to the case where practicable) gathers facts, including meeting(s) with the student. The student will be informed of the allegation(s) and the investigation.

4.2 Student Cooperation

Students must cooperate fully and promptly: identify witnesses, share relevant documents, and attend meetings. Confidentiality expectations will be explained.

4.3 Proportionality

The depth of investigation will reflect the nature/seriousness of the allegation(s).

4.4 Referral Decision

In consultation with SMT/Head of School/Centre/Dean and, where needed, Principalship/Bolton College Standards & Enhancement, the Investigating Officer decides whether to proceed to a **disciplinary hearing** (Section 6).

4.5 Fitness to Study Interface

Where invoked, Fitness to Study considerations inform next steps and will be communicated to the student.

4.6 No Further Action / Informal Outcome

If the matter can be resolved informally, or no formal action is warranted, relevant parties will be advised.

5. Suspension

5.1 Grounds

Suspension may be applied where:

- criminal proceedings are in train;
- there are clear, compelling reasons why continued attendance cannot be justified; or
- continued attendance may hinder the investigation.

Suspension is confirmed **in writing**.

5.2 Scope

The scope and conditions of suspension are determined case-by-case to protect those involved.

5.3 Status During Suspension

Suspension is **not** a sanction and does not imply guilt. Access to VLE/online accounts normally remains, unless specified otherwise.

6. Formal Disciplinary Procedure

6.1 Notification

The student will be informed **in writing** that a **disciplinary hearing** will be held, and who the **Disciplinary Officer** (member of SMT) will be. The notice will set out the allegation(s), date/time/place (or video details), right to be accompanied, and any reasonable-adjustment arrangements.

6.2 Evidence

At least **5 working days** before the hearing (where practicable), the student will receive relevant documents and/or witness statements. Where witness identity must remain confidential, as much information as possible will be provided while preserving confidentiality.

6.3 Attendance

Students should attend. If they cannot, they must inform the Disciplinary Officer immediately to seek a reasonable alternative time. If they do not attend without good reason, the hearing may proceed **in absentia**.

6.4 Conduct of the Hearing

- The process and allegation(s) will be confirmed.
- The case and evidence will be presented.
- The student (and companion) may respond and ask questions; the companion does not answer on the student's behalf.
- The hearing may be **adjourned** for further investigation if needed; new information will be shared with time to respond.

6.5 Outcome & Sanctions

- Decisions are made on the **balance of probabilities**.
- Sanctions may include a requirement to **make restitution** (damage, theft, loss).
- Where **expulsion** is recommended, it is referred to the **Principal** for affirmation.
- Written outcome is normally issued within **five working days** (including, where relevant, confirmation of expulsion).

7. Disciplinary Sanctions

Stages may be **omitted** depending on seriousness.

7.1 First Formal Action — Formal Verbal Warning

- Normally for a first misconduct where no active warnings exist.
- Sets out the misconduct and any required written undertaking/restoration.
- Recorded on the student's file and **active for six months**.

7.2 Second Formal Action — Written Warning

- Normally where a verbal warning exists or the misconduct warrants a written warning.
- May include undertakings and restitution.
- Recorded and remains **active for the remainder of registration** at Shockout in partnership with the Bolton College.

7.3 Final Formal Action — Expulsion

May be imposed where:

- a) misconduct occurs with an **active written warning**; or
- b) the misconduct is **serious**, regardless of prior warnings.

Only the **Principal** or **SMT** may expel. Expulsion takes immediate effect; outstanding fees remain payable.

8. Right of Appeal

8.1 Appeal Officer

The outcome letter will include the right to appeal.

- Appeals are considered by an **Appeal Officer** supported by an SLT member.
- For appeals against sanctions other than expulsion: an SLT member unconnected with the case.
- For appeals against expulsion: the most senior member of the organisation (or nominee).

8.2 Grounds and Deadline

Submit the **Student Non-Academic Conduct & Disciplinary Decision Appeal Form** (Appendix C) within **5 working days** of the outcome letter, on one or more

grounds:

- A) Procedural irregularity;
- B) New material evidence (unavailable earlier for valid reasons);
- C) Unreasonable outcome (decision or sanction).

8.3 Triage & Arrangements

SLT/Principalship will decide whether the appeal proceeds. If rejected, the decision letter serves as the **Completion of Procedures**. If accepted, the student will be told whether the appeal is by written submission or hearing (with right to be accompanied and reasonable adjustments). Where a hearing is held, it will normally occur within **10 working days**; evidence should be exchanged **5 working days** in advance.

8.4 Hearing & Decision

Failure to attend without good reason may result in proceeding **in absentia**. The Appeal Officer reviews the disciplinary record and any new evidence.

- If the case remains proven, the sanction may be **upheld or amended**.
- If not proven, the sanction will be **revoked or amended**.
Written outcome is normally issued within **5 working days** and serves as the **Completion of Procedures**. There is **no further internal appeal**.

8.5 Outcomes When an Appeal Is Upheld

- Verbal/Written warning: **removed** from record.
- Expulsion: **status reinstated** from the expulsion date; no break in studies recorded.

9. Completion of Procedures & the OIA

The appeal outcome letter confirms Completion of Procedures and the right to seek an independent review by the **Office of the Independent Adjudicator (OIA)**.

10. Records

Records will be kept for the duration of any **active sanction** (and as required by law) and then destroyed. Records normally include: the complaint, student response, findings, actions, reasons, appeal status and outcome, and notes of formal meetings.

11. Related Policies

Related policies are available via the **Shockout Academy** policy pages and the **Bolton College** Student Information Policy Zone.

12. Monitoring and Review

This procedure is monitored and reviewed **annually**. Updates are published each year.

13. Equality, Diversity and Inclusion

Shockout and the Bolton College are committed to equality, diversity and a supportive environment for all. This policy has been screened for plain English and alignment with the Equality Act protected characteristics (race, sex, disability, age, sexual orientation, religion or belief, gender reassignment, marriage and civil partnership, pregnancy and maternity). **Reasonable adjustments** will be provided where appropriate.

14. Dissemination and Access

This policy is published on the **Shockout Academy** website alongside related policies. Bolton College policies are available on the **Bolton College** Student Information Policy Zone and Governance website.

Appendix A: Illustrative (Non-Exhaustive) Examples of Misconduct

The following examples may constitute misconduct or **serious misconduct** depending on context, intent, impact, and recurrence. This applies on-site, off-site, online, and on social media.

- **Abusive, threatening, harassing, discriminatory or hateful** behaviour or communications.
- **Bullying** (including online), doxxing, or sharing private information without consent.
- **Violence**, assault, or credible threats of harm.
- **Sexual misconduct**, including unwanted behaviour of a sexual nature.
- **Damage, theft, unauthorised use** or misuse of property, systems, or data.
- **Substance misuse** impacting safety or behaviour; possession/supply of illegal drugs.
- **Health & safety** breaches; wilful disregard of safety instructions.
- **Disruption** of teaching, assessments, services, or events; refusal to follow reasonable instructions.
- **Dishonesty** in non-academic contexts (e.g., falsifying records, impersonation).
- **Unauthorised access** to facilities or restricted areas; misuse of ID or credentials.
- **Breach of sanctions/suspension conditions**, or of prior undertakings/warnings.
- **Criminal behaviour** relevant to the student role or community safety.

Sanctions will reflect all circumstances and may be lower or higher than those implied above.

Appendix B: Student Non-Academic Conduct & Disciplinary Decision Appeal Form**Instructions**

Complete and submit this form to complaints@weareshockout.com within **five (5) working days** of the date on your disciplinary outcome letter.

Student Details

- Name:
- Student Number:
- Programme:
- Year of Study:
- Date of Hearing:
- Date of Outcome Letter:
- Student email:
- Personal email:

Grounds for Appeal (tick one or more):

- A. Procedural irregularity that may render the original decision unsafe
- B. New material evidence (not reasonably available earlier)
- C. Unreasonable outcome (decision and/or sanction)

Statement of Case

For each ground ticked, explain clearly:

- Why this ground applies;
- How it affects the outcome;
- What evidence supports your claim (attach documents or indicate “to follow” with a date).

Request for Extension to Supply Further Evidence (optional)

State the document(s), relevant ground(s), reason not currently available, and the date by which you will submit them.

Declaration

I confirm the information provided is accurate, the evidence is genuine, and I have read the relevant procedures.

- Name:
- Date:
- Signature (if submitting as PDF):