

## Appendix 2



Orkney College, University of the Highlands and Islands

# Student Code of Conduct

## Purpose

The Student Code of Conduct sets out expectations for all students enrolled at Orkney College UHI, the University of the Highlands and Islands and all Academic Partners. All students are expected to conduct themselves in an appropriate manner to other students, staff and external organisations.

A breach of the Student Code of Conduct will be treated as misconduct and dealt with using the appropriate procedures identified using the decision tree in Appendix 2 of the Promoting a Positive Learning Environment Policy.

The University and Academic Partners aim to act reasonably in dealing with alleged or actual student misconduct. We seek to balance the interests of all students, staff, local communities, businesses and other organisations with whom we seek to maintain good relationships.

## Behaviour that is expected of students:

Students are expected to observe the Code of Conduct throughout their studies. The Code of Conduct applies to behaviour in both physical and online environments. Students are expected:

- To take responsibility for their own actions and conduct;
- To behave in a manner that fosters respect and understanding between all members of our community;
- To act within the law and not to engage in any activity or behaviour that is likely to bring the University or Academic Partners into disrepute;
- To value the good relationships Orkney College UHI, the University and Academic Partners have with local communities, businesses and other organisations;
- To avoid behaving or communicating in ways that are likely to cause offence, e.g. using abusive or obscene language or engaging in discriminatory or anti-social behaviour;
- To treat all Orkney College UHI and University property with care;
- To comply with requests of members of staff;

- To adhere to Health and Safety policies and protocols (including fire alarms) and to comply with any temporary changes during maintenance or repairs.

## Reporting suspected breaches of the Student Code of Conduct

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 or speak to a representative from the Highlands and Islands Students Association.

Students should remember that making vexatious or malicious allegations is a breach of the Student Code of Conduct.

## Behaviour that will be regarded as misconduct

The table below sets out examples of behaviour that will be regarded as misconduct. These behaviours could be verbal, physical or written, in person or online. The list is not exhaustive and action may be brought against other unacceptable behaviours. Where there are reasonable grounds for suspicion that a student has breached the Code of Conduct, staff can take appropriate action to investigate.

<b>People</b>	
<b>Disciplinary Offence</b>	<b>Examples of Unacceptable Behaviour</b>
Physical Misconduct	<ul style="list-style-type: none"> <li>· Use of weapons</li> <li>· Punching</li> <li>· Kicking</li> <li>· Slapping</li> <li>· Pulling hair</li> <li>· Biting</li> <li>· Spitting</li> <li>· Pushing</li> <li>· Shoving</li> </ul>
Sexual Misconduct, Gender Based Violence and Indecency	<ul style="list-style-type: none"> <li>· Sexual intercourse or engaging in a sexual act without consent</li> <li>· Attempting to engage in sexual intercourse or engaging in a sexual act without consent</li> <li>· Sharing private sexual materials of another person without consent</li> <li>· Kissing without consent</li> <li>· Touching inappropriately through clothes without consent</li> <li>· Inappropriately showing sexual organs to another person</li> <li>· Repeatedly following another person without good reason</li> <li>· Making unwanted remarks of a sexual nature</li> <li>· Stalking</li> <li>· Harassment or any unwanted conduct which has the purpose or effect of violating the dignity of an individual, or creating an intimidating, hostile, degrading, humiliating or offensive environment for them, relating to their gender, sexual orientation or gender identity (also refer to section below on gender based violence)</li> <li>· Engaging in any sexual acts on University or Academic Partner premises (excluding halls of residence)</li> </ul>
Abusive, Threatening and Intrusive Behaviour	<ul style="list-style-type: none"> <li>· Carrying of weapons</li> <li>· Threats to hurt another person</li> </ul>

	<ul style="list-style-type: none"> <li>· Radicalisation of others or sharing information related to extremism</li> <li>· Abusive comments relating to sex, sexual orientation, religion or belief, race, pregnancy/maternity, marriage/civil partnership, gender reassignment, disability or age</li> <li>· Bullying or victimisation (including cyber bullying)</li> <li>· Acting in an intimidating or hostile manner</li> <li>· Use of inappropriate language</li> <li>· Repeatedly contacting another person (by phone, email, text or on social media) against the wishes of the other person</li> <li>· Vexatious or malicious allegations</li> <li>· Unauthorised audio or video recording of staff or students without their knowledge and/or consent</li> </ul>
<p style="text-align: center;">Alcohol, Controlled Substances and Prescription Medication</p>	<ul style="list-style-type: none"> <li>· Supplying or being involved in the supply of controlled substances or non-prescribed medication</li> <li>· Supplying or being involved in the supply of alcohol to minors or areas where there is an alcohol ban</li> <li>· Use of controlled substances on any campus</li> <li>· Consume alcohol at any time prior to taking part in practical activities</li> <li>· Failure to advise staff of using prescription medication where side effects could pose a risk to the student, other students or staff</li> </ul>
<p style="text-align: center;">Academic Misconduct</p>	<ul style="list-style-type: none"> <li>- Collusion: working with others to complete an assessment when an assessment must be completed by individual students.</li> <li>- Copying from another student (including using ICT to do so)</li> <li>- Frivolous content – producing content that is unrelated to the assessment in question.</li> <li>- Offensive content such as the inclusion of inappropriate, offensive, discriminatory or obscene material in assessment evidence.</li> <li>- Inappropriate behaviour during an assessment that causes disruption to others. This includes shouting and/or aggressive behaviour or language.</li> <li>- Plagiarism: failure to acknowledge sources properly (including self-plagiarism), and/or the submission of another person’s work as if it were the student’s own.</li> <li>- Cheating: normally through the use of unauthorised aids.</li> <li>- Being in possession during an assessment of unauthorised materials including (but not limited to) mobile phones, MP3 players, notes.</li> <li>- Falsification or fabrication of data</li> <li>- Impersonation i.e. pretending to be someone else.</li> </ul> <p>· Academic misconduct will normally be investigated through the relevant Academic Misconduct procedure. Incidents may also be investigated under the Disciplinary Procedure, e.g. if they involve unauthorised use of property, threatening behaviour etc.</p> <p>· Academic Misconduct may result in the University or Academic Partner making a report to an external awarding body or Professional, Statutory and Regulatory Bodies (PSRB)</p>

<b><u>Property</u></b>	
<b>Disciplinary Offence</b>	<b>Examples of Unacceptable Behaviour</b>
Damage to Property	<ul style="list-style-type: none"> <li>· Causing any damage to property belonging to Orkney College UHI, and/or the University, including staff and student property</li> </ul>
Unauthorised Taking or Use of Property	<ul style="list-style-type: none"> <li>· Unauthorised entry onto or unauthorised use of Orkney College UHI and/or University premises</li> <li>· Taking property belonging to another without permission</li> <li>· Misuse of Orkney College UHI and/or University property (for example computers, workshop and laboratory equipment)</li> </ul>
Causing A Health or Safety Concern	<ul style="list-style-type: none"> <li>· Behaviour or act causing a health or safety concern to people, animals or the environment</li> <li>· Act/omission/negligence that caused or could have caused harm on Orkney College UHI and/or University premises or during activities (for example, interfering with fire safety equipment, smoking cigarettes or vaping in non-designated areas, misuse of equipment, not following safety protocols)</li> </ul>
<b><u>Organisation</u></b>	
<b>Disciplinary Offence</b>	<b>Examples of Unacceptable Behaviour</b>
Operational Obstruction	<ul style="list-style-type: none"> <li>· Acts/omissions/statements intended to deceive Orkney College UHI and/or the University or to conceal the misconduct of others</li> <li>· Disruption of the activities of Orkney College UHI and/or the University (including academic, administrative, sporting and social)</li> <li>· Disruption of or interference with the functions, duties or activities of any student or employee or any authorised visitor to Orkney College UHI and/or the University</li> <li>· Fraud, forgery, unauthorised use of funds, financial impropriety, including activity related to student support funds, fee waivers, research funds, scholarships etc.</li> <li>· Bribery / attempted bribery</li> <li>· Breach of the Persistent and Vexatious Complaints Policy</li> </ul>
Reputational Damage	<ul style="list-style-type: none"> <li>· Behaviour which has caused damage, could have caused damage or may cause damage to the reputation of Orkney College UHI and/or the University</li> <li>· Behaviour which has caused damage, could have caused damage or may cause damage to the reputation of Orkney College UHI and/or the University</li> </ul>

## Gender Based Violence

Gender based violence (GBV) is a function of gender inequality, and is normally an abuse of male power and privilege. It takes the form of actions that result in physical, sexual and psychological harm or suffering to women and children, or affront to their human dignity, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or private life.

While it is acknowledged that gender based violence mostly affects women and that predominantly men are the perpetrators, it may impact individuals of any age, gender, sexual orientation, faith or ethnicity.

- Domestic abuse (including coercive control)
- Stalking
- Harassment or any unwanted conduct which has the purpose or effect of violating the dignity of an individual, or creating an intimidating, hostile, degrading, humiliating or offensive environment for them, relating to their gender, sexual orientation or gender identity.
- Rape and sexual assault
- Child and childhood sexual abuse
- Commercial sexual exploitation, including prostitution, pornography and trafficking
- Female genital mutilation
- Forced and child marriages
- Abuse by other family members, so called 'honour-based' and dowry-related violence crimes
- Threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or private life

Gender based violence is not condoned by the University or Academic Partners. We are committed to working in partnership with relevant local organisations to support victims of gender based violence, including assisting victims to report suspected crimes to the police. Allegations or incidents of gender based violence may also be treated as a breach of the Student Code of Conduct and relevant procedures followed.

## Precautionary Action

In the event of an allegation of misconduct, a student may be excluded from Orkney College UHI 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 and will receive any student support funds they are entitled to. This precautionary action is not a punishment, but is intended to protect the interests of all parties.

## Disciplinary Action

Following an investigation disciplinary action that may be applied include, but are not limited to: written apology to the aggrieved party; compulsory attendance at a workshop/coaching session; restrictions/conditions on attendance; verbal warning; written warning; fines for wilful damage, theft or non-return of equipment; exclusion from the course; de-registration (postgraduate research students); removal of university award; permanent exclusion from the University and all Academic Partners.

The disciplinary action applied will be proportionate and take full account of the individual circumstances of the misconduct.

Multiple or repeated incidents of misconduct may be more serious than a single act of misconduct, and previous incidents may be taken into account when determining what disciplinary action should be applied.

Depending on the disciplinary action applied, students risk losing entitlement to student support funds and may be liable to pay their tuition fees in full.

## Alleged misconduct which may constitute a criminal offence

Where alleged misconduct may constitute a criminal offence, Orkney College UHI, University and Academic Partners will use the following principles:

- 1) The criminal process will take priority and any internal disciplinary procedure will be suspended until further guidance is received from the police.
- 2) Precautionary action will be considered using the Safeguarding Lead Procedures. This involves a risk assessment which may result in reasonable and appropriate action being taken e.g. imposition of conditions, exclusion from some or all Orkney College UHI, University or Academic Partner premises, and/or removal of access to services.
- 3) Where necessary, appropriate support will be provided to all parties involved in the incident.
- 4) Irrespective of the outcome of the criminal process Orkney College UHI, University and Academic Partners may consider the alleged misconduct as an internal disciplinary matter.

With respect to 4), where a student is convicted of or cautioned or warned for a criminal offence, this may be relied upon as evidence in any disciplinary proceedings provided that the circumstances leading to that conviction are directly relevant to the allegation. Any sentence or order pronounced by a court may be taken into account in the imposition of any sanction.

## Professional Standards and Fitness to Practise

Students on courses accredited by a Professional, Statutory and Regulatory Bodies (PSRB) are also subject to the professional standards and/or Codes of Conduct issued by the PSRB. The student will be advised if this is applicable at the start of their course.

Any breach of the Student Code of Conduct or professional standards may be reported directly to the PSRB and/or trigger a Fitness to Practise procedure.

This may lead to a student being withdrawn from their course, dismissed from their job, barred from employment in that profession, and/or a criminal investigation.