

# Open College of the Arts (OCA)

## Student Code of Conduct 2023/24

Version no	Status	Procedure Owner	Approved by	Date of approval	Date of next review
1	Approved	Craig Dewis	OMG	01/06/2018	
2	Approved	Craig Dewis	OCA Board	7 June 2022	June 2023
3	Approved	Craig Dewis	CQC - Chair's Action	12/07/2023	June 2024

### 1. The purpose of this code

- 1.1. This code sets out the expectations of student conduct at Open College of the Arts (OCA) including dealings with other students, staff, tutors, and external organisations and parties.
- 1.2. This code also sets out the resolution process for where student conduct falls below the standards expected.

### 2. Who does this apply to?

- 2.1. This code applies to all students studying courses at all levels of OCA, including short and foundation courses, and undergraduate and postgraduate degree programmes.

### 3. Linked and other relevant policies and legislation

- 3.1. This code is subject to OCA's [Terms and Conditions](#), and forms part of the OCA Student Regulations.
- 3.2. This code is informed by and references the [Equality Act 2010](#), the [Data Protection Act 2018](#), the [Sex Offences Act 2003](#), the [Terrorism Act 2006](#), the [Health and Social Care Act 2008](#), and the [Office of the Independent Adjudicator Good Practice Guidance: Disciplinary Procedures](#).

- 3.3. This code should be read in conjunction with specific OCA policies on [Safeguarding](#), the [Prevent Duty](#), [Wellbeing](#), [Anti-Harassment & Bullying](#), [Fitness to Study](#), the [Extenuating Circumstances Policy](#), the [Student Complaints Policy](#), the [Online Behaviour and Social Media Policy](#) and the [Academic Appeals Policy & Procedures](#). In addition this code also references academic regulations of the awarding institution:
- 3.3.1. If you are a UCA registered undergraduate student the academic regulations to refer to is [UCA's Academic Regulatory Framework](#)
- 3.3.2. If you are a UCA registered postgraduate student the academic regulations to refer to is [UCA's Common Credit Framework](#)
- 3.3.3. If you are a registered student of The Open University the academic regulations to refer to are the [Academic Regulations for Subsidiary Institutions of The Open University](#)

#### 4. General Principles

- 4.1. The Student Code of Conduct aims to foster a positive learning experience for all of our students. It sets out the expectations that OCA has for the conduct of all students in their day-to-day activities, including dealings with other students, staff, tutors, and external organisations and parties. As an OCA student, individuals are representatives of OCA and are expected to conduct themselves appropriately, in line with the principles of this and other policies, and the values of the OCA.
- 4.2. OCA has a responsibility under this code and other policies to investigate any allegation raised. There is significant crossover between this Code and OCA's [Fitness to Study Policy](#); any concerns raised under this Code will also be considered under the [Fitness to Study Policy](#).
- 4.3. Any investigation conducted in line with this policy will be conducted fairly and impartially, considering any evidence on its own merits.
- 4.4. Where a concern is raised about the conduct of an OCA student, they will be given the option to respond and provide evidence as part of the investigation. We will provide suitable means for a student to present their case whilst being respectful of the limitations and opportunities of studying at a distance, and any adjustments needed for students.
- 4.5. Where a concern is raised about the conduct of a group of OCA students, initially these cases will be considered together. Students will be given the option to respond and provide evidence as part of the investigation. We will provide suitable means for students to present their case whilst being respectful of the limitations and opportunities of studying at a distance, and any adjustments needed for students.
- 4.6. Students may appoint an advocate to represent them. This may be a friend, family member or other third party. In all cases this should not be legal representation. The same standards are expected of an advocate as the

student themselves. To appoint an advocate, the student needs to write to [studentadvice@oca.ac.uk](mailto:studentadvice@oca.ac.uk) with the name and contact details of who they wish to appoint on their behalf.

- 4.7.** Any information presented to OCA will be treated with strict confidentiality and only discussed with staff on a need-to-know basis. Information stored on our systems is of restricted use and availability. Information may be referred to the police or other emergency services as set out in paragraph 4.9. Details of investigations are retained on student records for the length of study plus one year as set out in OCAs Data Retention Schedule. Where information references another person you will endeavour to gain their consent prior to sharing it.
- 4.8.** As part of any investigation into student conduct, in order to progress an investigation evidence is required.
- 4.9.** Concerns raised under the Student Code of Conduct are considered in three stages, each with a series of potential actions and sanctions where this is warranted.
- 4.10.** The procedure for investigating concerns of student conduct is not necessarily linear, and may be investigated and reviewed at some or all of the stages; this is dependent upon the concerns raised, their seriousness, the impact (including potential impact) on OCA or the wider community, and any previous record of investigation of student conduct. When concerns are raised OCA will conduct an initial risk assessment to determine the appropriate stage for review.
- 4.11.** The safeguarding of the physical and mental wellbeing of all at OCA and the wider community is the paramount consideration for OCA in investigating concerns of student conduct. Where, through an investigation, there is concern that a criminal offence has or is likely to occur, and/or that there is an ongoing risk to OCA or the wider community (including to children and/or vulnerable adults), OCA will encourage anyone involved to contact the police to raise concerns.
- 4.12.** Where, as the result of the initial risk assessment there is an identified risk or potential risk to the OCA community, immediate action may be taken to limit access to services and/or suspend a student whilst an investigation takes place. If a student is suspended this will include removal of all access to OCA services. Suspension is not a disciplinary penalty. It is an urgent and necessary action whilst the investigation takes place.
- 4.13.** OCA may, in circumstances where it is believed there is an ongoing risk to OCA members and/or the wider community, refer cases directly to the emergency services even where this is in contradiction to a student's wishes. This may involve providing any data and/or information as requested by the police to assist them in their investigations, as permitted by the Data

Protection Act 2018. Where a case is referred to the police OCA internal investigations will be paused until an outcome from the police is received.

- 4.14. It is expected that concerns raised under this code are fair and accurate reflections of instances that have happened. It is not expected that vexatious complaints are made. Where there is evidence to suggest that a concern(s) raised under this code may be vexatious in nature, the person(s) raising them will be investigated in line with this code.

## **5. Scope of this code**

- 5.1. This code applies to all students of OCA, at all times, irrespective of whether any action or student conduct takes place on OCA premises, on social media, within OCA-provided media or services, or any other interaction involving a member of the OCA community. This includes interaction with other OCA students, staff, tutors, contractors, and members of the public with no affiliation to OCA or its activities.
- 5.2. This code does not include allegations made against OCA staff members, including tutors. To raise allegations about OCA staff please see the [Student Complaints Policy](#); staff behaviour is covered by staff contracts and the expected conduct listed in the Staff Handbook.
- 5.3. This code does not cover academic offences including plagiarism and malpractice. These are covered under OCA's [Academic Misconduct Policy](#).
- 5.4. By enrolling with OCA, and becoming a part of the OCA community, individuals agree to be subject to the OCA discipline and the actions/behaviours therein. OCA may, in addition, take action with individuals no longer enrolled with OCA or alumni where applicable.
- 5.5. Student conduct may be affected by underlying medical conditions and/or disabilities. The OCA retains a responsibility to protect and ensure that no member of the OCA community is subjected to actions or conduct deemed by this code or conjunctive policies to be unacceptable. Where medical conditions and/or disabilities have had a bearing on the conduct of a student, supporting evidence provided by the student of the relevant condition or disability will be considered as appropriate. Where unacceptable conduct is proven to be caused by medical conditions and/or disabilities, the OCA will endeavour to support the student/s affected, however the OCA may take action in line with this policy at its discretion. Please see OCA's [Fitness to Study Policy](#) for full details.

## **6. Student conduct**

- 6.1. OCA expects all students to conduct themselves in an appropriate manner at all times, treating others equally, and with dignity, fairness and respect.

Students are expected to observe the Equality Act 2010, and respect differences in respect of protected characteristics. Harassment, bullying, victimisation, sexual misconduct, hate speech and other crimes will not be tolerated under any circumstances. OCA has a further responsibility under the Prevent Duty to take steps to ensure people are not drawn into extremism.

**6.2.** The below is a list of examples of conduct or actions deemed to be misconduct; this list is not to be considered exhaustive.

- 6.2.1.** conduct or action which inhibits the teaching, studying, research, and/or other activities of OCA;
- 6.2.2.** obstructing or interfering with the function or duties of any person/s;
- 6.2.3.** violent or aggressive conduct including but not limited to indecent, disorderly, or offensive conduct or language, either orally or written;
- 6.2.4.** conduct which involves the misuse or abuse of equipment, materials, and/or services provided by OCA to students and/or the wider community, including:
  - a. acts that contravene instructions relating to use of equipment, materials, and/or services
  - b. acts that break licencing agreements (including software) entered into by a student
  - c. unauthorised use of OCAs computing and/or network resources
  - d. abuse of copyright, including but not limited to, any breach or infringement of copyright or licence, whether owned by OCA or a third-party, by copying, distributing, or offering for sale unit or assessment materials;
- 6.2.5.** conduct which impinges freedom of speech on OCA-organised forums and on social media;
  - a. conduct that discriminates against any person/s on the basis of a protected characteristic defined by the Equality Act 2010;
  - b. fraud, falsification of documentation, or deceit in respect of entry to OCA or any other activity;
  - c. any conduct that brings OCA and/or any partners into disrepute;
- 6.2.6.** cases involving a threat of serious harm to students or others;
- 6.2.7.** cases where a student's mental health is at risk or where they display significant distress;
- 6.2.8.** issues of a highly sensitive nature and/or that cause offence;
- 6.2.9.** cases involving an ongoing threat of serious disruption to other students or the provider's activities;
- 6.2.10.** causing a health or safety concern;
- 6.2.11.** conduct on premises (including virtual premises, platforms, services, and materials) provided by a third-party for the use of OCA students, that breaks the regulations of that third-party, inclusive of health and safety. This includes any premises (virtual or otherwise) used for the purposes of tutorials, study events, graduation ceremonies, and any

other activities associated with study and OCA. This is inclusive of libraries, laboratories, or any other facility in connection with study and OCA;

**6.2.12.** internet access abuse, such as visiting inappropriate websites, uploading/ downloading inappropriate content, propagation of computer viruses;

**6.2.13.** failure to comply with OCA policy;

**6.2.14.** making false, or vexatious claims and/or complaints;

**6.2.15.** misconduct prior to enrolment with OCA which should have been materially disclosed at the point of enrolment to OCA.

**6.3.** Students are expected to act in accordance with the law, and not to engage in any activity that may bring OCA, and/or any of its partners into disrepute. Students are required to inform OCA if they receive a criminal conviction during their studies, by emailing [learnersupport@oca.ac.uk](mailto:learnersupport@oca.ac.uk) or writing to OCA for the attention of the Learner Support team. Full details relating to the disclosure of criminal convictions is detailed in OCA's [Criminal Convictions Policy](#). Relevant unspent convictions, cautions, reprimands, final warnings or similar required to be disclosed include but are not limited to involving one or more of the following:

- a. violence including but not limited to threatening conduct , affray, or any other offence involving the intention to cause harm, or actual/grievous bodily harm;
- b. offences classified under the Sex Offences Act 2003;
- c. offences involving firearms;
- d. offences involving damage to property and/or arson;
- e. unlawful supply of controlled drugs or substances;
- f. offences classified under the Terrorism Act 2006.

**6.4.** Students will undertake their work with integrity, and with respect towards the work of others. Academic offences are dealt with under the [Academic Misconduct Policy](#), however the Student Code of Conduct expects all students to uphold the principles of academic endeavour, to not engage in plagiarism (including self), collusion, and/ or ghost-writing, or any other activity that may call the OCA and its practises into disrepute.

## **7. How to raise concerns and first steps**

**7.1.** If anyone has concerns about the conduct of an OCA student, these should be raised as soon as possible with OCA so these can be investigated. In the first instance, these should be put in writing to [studentadvice@oca.ac.uk](mailto:studentadvice@oca.ac.uk). Concerns may be raised with OCA anonymously if people wish.

**7.2.** When raising concerns to OCA please include as much information as possible to help OCA investigate and take the most appropriate action. If possible, please include students name, the course they are studying, the incident(s) that have raised concerns, what these concerns entail, if the concerns are related to yourself or others, and how you came to know these

concerns (for example in person, on social media etc). Please also include contact details where possible for any follow up conversations.

- 7.3. In raising concerns please keep hold of and send to OCA any evidence you may have that relates to the concern, for example, emails, screenshots, messages and so on.
- 7.4. The Disciplinary Procedure itself consists of three potential stages with associated investigations; not all three stages will necessarily be enacted, depending on the nature and seriousness of alleged infraction, and if the student decides to exercise applicable rights of appeal.
- 7.5. Where concerns are raised, these will initially be reviewed by OCA's Complaints Management Team to determine what stage of this procedure and investigation will be triggered. Where possible the Complaints Management Team will confirm receipt of the concerns being raised and the opening of an investigation. An initial risk assessment will be conducted to determine the level of immediate risk to the OCA community and flagged to the appropriate stage of review.
- 7.6. Where, as the result of the initial risk assessment there is an identified risk or potential risk to the OCA community, immediate action may be taken to limit access to services and/or suspend a student whilst an investigation takes place. If a student is suspended this will include removal of all access to OCA services. Suspension is not a disciplinary penalty. It is an urgent and necessary action whilst the investigation takes place.
- 7.7. An investigating officer will be appointed as outlined in the procedure below who will write to all affected parties, including the student about whom concerns have been raised, within five working days of receipt of concerns.

## **8. Investigations**

### Stage 1 - Informal

- 8.1. Stage 1 is typically used to consider concerns as they are initially raised, particularly where there is no previous history of issues involving student behaviour, or where it is not clear from the initial assessment of the nature or seriousness of the concerns. It is expected that the majority of cases will be resolved at Stage 1.
- 8.2. Stage 1 applications are considered by the Complaints Management Team. Once a concern is received the Complaints Management Team will review any evidence provided and contact all parties to present the concerns and provide the opportunity to respond. This may also include contacting the person(s) who have raised concerns to ask any further questions.

- 8.3.** Students will be given a minimum of 10 working days to respond to the allegations. This includes the option to provide a personal statement to address the allegations, and space to upload supporting evidence. The Complaints Management Team may also request a meeting with the student about whom concerns are raised in which case 20 working days will be given to respond to concerns to allow for meeting setup and preparation. Students requested to attend a meeting may appoint a representative to assist them (see section 10 Support and Representation).
- 8.4.** Once all parties have been given the opportunity to respond to the allegations, the Complaints Management Team will review all presented evidence including any statements and transcripts of meetings and prepare a report on the investigation outlining the findings and any sanctions as set out in section 9 within 20 working days. This report will be provided to all parties involved in the case and a copy retained on the students record. Evidence considered as part of the investigation is retained by OCA and stored in our internal Complaints Management system. This is the Investigation Outcome Notification.
- 8.5.** Any party may appeal the decision and outcome(s) by responding in writing within 20 working days of receiving the Investigation Outcome Notification. This will then be escalated to Stage 2. For support with an appeal please see section 10, Support and Representation.

#### Stage 2 - Formal

- 8.6.** Cases at Stage 2 are considered by the Head of Student Services, an OCA Director or OCA Principal, whether they are escalated as a result of the initial risk assessment, or through an appeal of the decision(s) at Stage 1 of the process. Cases that come straight to Stage 2 following an initial risk assessment are where the student involved has had a Student Code of Conduct investigation upheld previously, or where there is evidence to suggest that higher sanctions may be warranted.
- 8.7.** Once a concern is received any evidence provided will be reviewed and all parties will be contacted presenting the concerns and providing the opportunity to respond.
- 8.8.** If the case is an appeal of a decision(s) at Stage 1 the case will be reviewed and any new evidence will be taken into account. Further information may be requested in which case 15 working days will be given to respond to concerns and to allow for meeting setup and preparation. Students requested to attend a meeting may appoint a representative to assist them (see section 10 Support and Representation).
- 8.9.** In all cases the student will be notified of any escalation within 5 working days of receiving the escalation.



- 8.10.** Once all parties have been given the opportunity to respond to the allegations, OCA will review all presented evidence including any statements and transcripts of meetings and prepare the outcome of the investigation, outlining the findings and any sanctions as set out in section 9 within 20 working days. This will be provided to all parties involved in the case and retained on student(s) record(s). Evidence considered as part of the investigation is retained by OCA and stored in our internal Complaints Management system.
- 8.11.** In the event that the student is dissatisfied with the outcome they may lodge an appeal through Stage 3 of the process. For support with an appeal please see section 10, Support and Representation.

### Stage 3 – The Open University

- 8.12.** Cases at Stage 3 are considered by The Open University Central Disciplinary Committee whether they are escalated as a result of the initial risk assessment, or through an appeal of the decision(s) at Stage 2 of the process. The Central Disciplinary Committee has a dual role. It acts as a disciplinary authority and as an appeal authority. 'Hearing' relates to the disciplinary role of the Central Disciplinary Committee whereas 'appeal' relates to its role as an appeal authority.
- 8.13.** Cases can escalate straight to Stage 3 following an initial risk assessment where there is evidence to suggest that the law has been broken and/or there is an ongoing risk to OCA and/or the wider community.
- 8.14.** The student(s) can lodge an appeal by writing to the secretary of the Central Disciplinary Committee at The Open University (as directed in the appropriate correspondence email [sco-cdc@open.ac.uk](mailto:sco-cdc@open.ac.uk)) or by writing to The Open University at Student Casework Office, The Open University, Walton Hall, Milton Keynes, MK7 6AA, United Kingdom. within 15 working days of the date of the letter informing them of a disciplinary decision. The penalty will apply until the hearing of the appeal. Admissible grounds for appeal are:
- a. procedural errors;
  - b. new evidence not previously available to the disciplinary authority;
  - c. the unreasonable nature of the penalty.

The student cannot appeal just because they disagree with the decision already made.

- 8.15.** The student must present their appeal to the Secretary of the Committee as a written statement in which they give the reason/s for their appeal. If a student gives no reason for appealing, their appeal will not be accepted. When the student presents their written statement giving the reason/s for their appeal they should send to the secretary of the Committee the names of any witnesses they expect to call.

**8.16.** Students should refer to The Open University's [Code of Practice for Student Discipline](#) and specifically the following sections:

- SD 5.4 Investigations by the Central Disciplinary Committee
- SD 6 The student's attendance at hearings
- SD 7 Nominated friend or representative
- SD 8 Witnesses
- SD 9 Hearings by the Central Disciplinary Committee
- SD 10 Rights to appeal
- SD 11 Lodging an appeal
- SD 12 Appeal hearings by the Central Disciplinary Committee
- SD 13 Recording and reporting penalties

**8.17.** Usually within 10 working days of receiving notice of the suspected misconduct, the secretary of the Central Disciplinary Committee will, on behalf of the Central Disciplinary Committee:

- a. send to the student an account of the alleged misconduct;
- b. inform the student that they are investigating and that, if there is sufficient evidence of misconduct, the case will be referred to the Central Disciplinary Committee;
- c. tell the student the date of the next meeting of the Central Disciplinary Committee that could deal with the case;
- d. send the student a copy of the current OCA Student Code of Conduct Policy;
- e. ask the student for their comments on the allegation;
- f. invite the student to provide the details of any witnesses The Open University should contact, the name of any friend or representative they would like to be accompanied by; and
- g. advise the student that they need to respond within 15 working days of the date of the letter from the Secretary of the Central Disciplinary Committee.

**8.17.1.** Further information of what happens before the hearing, your right to attend, what happens if you do not respond and your right to bring a nominated friend or representative can be found in Section 5 to 7 of The Open University Code of Practice for Student Discipline ([open.ac.uk](http://open.ac.uk))

**8.17.2.** The Central Disciplinary Committee may request witnesses who have direct knowledge of the alleged misconduct to attend disciplinary and appeal hearings and to question any witness called. However, The Open University does not have the power to order any person called as a witness to attend either a disciplinary or an appeal hearing. The Chair of the relevant Committee has the authority to decide whether or not witnesses are relevant to the case.

**8.18.** A student has a right to appeal to the Central Disciplinary Committee against the findings of Open College of the Arts following a formal stage 2 investigation.

**8.19.** A student has a right to appeal to the Special Appeals Committee of the Senate against a decision of the Central Disciplinary Committee other than those made when the Committee is acting as an appeal body:

- 8.20.** The Chairs of the Central Disciplinary Committee and the Special Appeals Committee have the power to determine whether or not an appeal is admissible. The student may appeal only once against the findings or the penalty.
- 8.21.** A student cannot appeal against the following decisions:
- a. decisions of the Central Disciplinary Committee acting as an appeal body relating to the findings of another disciplinary authority;
  - b. decisions of the Special Appeals Committee;
- 8.22.** The Secretary of the Committee will notify the student in writing of the date of the appeal hearing arranged, giving notice of the student's right to present their side of the case and to call witnesses, and informing them when they can expect to receive the following (usually 10 working days before the date of the appeal hearing):
- a. copies of the documents that will be presented to the Committee;
  - b. a list of any witnesses that The Open University expects to call, who have a direct knowledge of the alleged misconduct;
  - c. any information and guidance requested by the student that The Open University considers to be reasonable.
- 8.23.** The student will send to the Secretary of the Committee (not less than 10 working days before the scheduled date of the appeal hearing):
- a. the names of any relevant witnesses they wish to call;
  - b. the names of any nominated friend or representative they wish to attend.
- 8.24.** All disciplinary offences and penalties imposed by the Central Disciplinary Committee or Disciplinary Authorities will be recorded on the student's electronic record.

## **9. Burden and Standard of Proof**

- 9.1.** In reviewing cases the burden of proof is on OCA to provide evidence in support of a case against a student. The student in receipt of concerns does not have to disprove the allegation. This follows best practice guidance from the Office of the Independent Adjudicator.
- 9.2.** In considering decisions and outcomes, the standard to be met in judging what has occurred is 'on the balance of probabilities' as is used in civil proceedings. This means that in the view of the investigating officer when reviewing the body of evidence, something must have been more likely to have happened than not.

## **10. Support and Representation**

- 10.1.** Anyone involved in this process is entitled to support, whether they are presenting allegations or are a student about whom concerns have been raised. Within OCA the Learner Support team is available to support all

students ([learnersupport@oca.ac.uk](mailto:learnersupport@oca.ac.uk)). For support outside of OCA, people may wish to involve friends or family, or more formally through the Citizens Advice Bureau.

- 10.2. Throughout the process any person involved may appoint an advocate to represent them. This may be a friend, family member or other third party. In all cases this should not be legal representation. The same standards are expected of an advocate as the student themselves. To appoint an advocate, the student needs to write to [studentadvice@oca.ac.uk](mailto:studentadvice@oca.ac.uk) with the name and contact details of who they wish to appoint on their behalf.
- 10.3. When a student is requested to attend a meeting, the student may request for a friend or representative to attend either in support of them or in their stead. The person nominated may not be acting as a barrister or solicitor. The same standards are expected of the representative as of the student themselves.

## 11. Sanctions

- 11.1. In the instances where a student is found to have breached the Student Code of Conduct, the following sanctions may be applied at the discretion of the investigating officer or panel.
- 11.2. When considering appropriate sanctions to employ, consideration will be given to the nature of the transgression, the impact (potential and/or actual), student intention and evidence of remorse, and the circumstances leading to the breach.
- 11.3. Students who wish to present evidence of extenuating circumstances should refer to the [Extenuating Circumstances Policy](#).
- 11.4. The investigating officer or panel may apply sanctions dependent upon the stage of the case and the nature of the transgression;

<u>Stage 1</u> <i>For cases of limited material impact. Responsible disciplinary body is OCA.</i>	<u>Stage 2</u> <i>For more serious cases with material impact or repeat offences. Responsible disciplinary body is OCA.</i>	<u>Stage 3</u> <i>For the most serious cases and/or continued repeat offences. Responsible disciplinary body is the Open University.</i>
An informal caution directing students to the Student Charter. This is not a penalty but will be kept on the students record.		
A written warning requiring the student to give assurances as to their future conduct, and any other	A written warning requiring the student to give assurances as to their future conduct, and any other	A written warning requiring the student to give assurances as to their future conduct, and any other

stipulations as so prescribed.	stipulations as so prescribed.	stipulations as so prescribed.
Compensation to OCA, individuals, or external organisations against identified loss.	Compensation to OCA, individuals, or external organisations against identified loss.	Compensation to OCA, individuals, or external organisations against identified loss.
A requirement to participate in a training programme to educate other students about misconduct and consequences.	A requirement to participate in a training programme to educate other students about misconduct and consequences.	A requirement to participate in a training programme to educate other students about misconduct and consequences.
Access restriction to OCA services as prescribed, and/or contact with named students, staff and/or tutors.	Access restriction to OCA services as prescribed, and/or contact with named students, staff and/or tutors.	Access restriction to OCA services as prescribed, and/or contact with named students, staff and/or tutors.
	Deferred expulsion for a period of up to 12 months; further breaches during the prescribed period will result in expulsion from OCA.	Deferred expulsion for a period of up to 12 months; further breaches during the prescribed period will result in expulsion from OCA.
		Expulsion from OCA, with all benefits and rights pertained therein ceasing to be in effect, including the right to complete studies.

**11.5.** Examples of misconduct and their associated sanctions may include (please note this list is not meant to be exhaustive):

**11.5.1.** A student posts comments and images on social media that are aggressive towards minority groups. In this example, if this was a first offence, as the action is both public facing, and is in breach of the Equality Act 2010 (protected characteristics) the student may be given a formal warning (held on their student record), a requirement to engage in training to address the views, and potentially deferred expulsion to account for future conduct. OCA may also refer a case like this to the police where it is believed the law has been broken.

**11.5.2.** A student whilst preparing their final exhibition does not follow appropriate health and safety guidelines, putting members of the public at risk. In this example, as this is both public facing, and has potentially serious consequences this would likely warrant a formal

warning and a requirement for health and safety training to be completed.

## **12. Further escalation**

- 12.1.** Students dissatisfied with the process or outcome of the Disciplinary Procedure, may escalate the matter to the [Office of the Independent Adjudicator for Higher Education](#) (OIA) as a complaint. This is an independent process for review of complaints.
- 12.2.** Submission of cases to OIA must happen within 12 months of receipt of Completion of Procedures letter. OIA should be consulted before submitting a case as it has specific requirements for the way in which students submit complaints.
- 12.3.** Details on the process are available on the OIA website <http://www.oiahe.org.uk/> or OIA can be contacted at the below address:

Registered Office: Office of the Independent Adjudicator for Higher Education,  
Second Floor, Abbey Gate,  
57-75 Kings Road,  
Reading, RG1 3AB.  
Telephone: 0118 959 9813  
Email [enquiries@oiahe.org.uk](mailto:enquiries@oiahe.org.uk).

## **13. Support for the code**

- 13.1.** Should you need any help with this code whilst you are enrolling to an OCA course, you should contact our Information, Advice, and Guidance team at [enquiries@oca.ac.uk](mailto:enquiries@oca.ac.uk), where they will be able to answer any queries you have.
- 13.2.** For any assistance during an investigation, students may wish to speak to a [Student Association representative](#) for advice and guidance.

## **14. Control of the code**

- 14.1.** This policy was authored by Craig Dewis, Head of Student Services in consultation with OCA Staff, and the Student Association.

## **15. Reviewing the code**

- 15.1.** OCA will work closely with the Student Association to gather student feedback on the outline of the code, its intentions, the administration of the code, and a review of all these points in practice. These will then be fed into the next review point for the code.
- 15.2.** If you would like to raise any issues around this policy then you should contact [enquiries@oca.ac.uk](mailto:enquiries@oca.ac.uk), or if you are a student, you might also wish to raise these with the appropriate Student Association representative.