

# Open College of the Arts (OCA)

## Student Code of Conduct

### 1. The purpose of this code

- 1.1 This code sets out the expectations of conduct whilst a student at OCA in their day-to-day activities, 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.

### 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.
- 3.3 This code should be read in conjunction with specific OCA policies on Safeguarding, Wellbeing, Anti-Harassment & Bullying, and the Student Complaints Policy. In addition this code also references OCAs Academic Regulatory Framework.

### 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 on 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 for OCA and are expected to conduct themselves appropriately, in line with the principles of this and conjunctive policies, and the values of the OCA.
- 4.2 In addition, this document sets out the resolution process for where student behaviours fall below the standards expected.
- 4.3 OCA manages its and student responsibility to conduct on these principles:
  - to provide an environment that aims to promote inclusivity, respect, and fairness as key values;
  - to support in creating an environment where issues can be raised if prescribed standards by OCA members have not been met;

- to provide advice and guidance to OCA members where allegations are raised,
- where allegations are raised, to conduct investigations into the matter,
- for each investigation to be conducted with objectivity, listening to the views of all persons involved;
- for all cases to be treated with strict confidentiality;
- where appropriate to take action commensurate with the transgression committed.

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

- 5.1 This code applies to all students of OCA, at all times, irrespective of whether any action or behaviour takes place on OCA premises, 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 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.
- 5.3 Student behaviour 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 behaviours 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 of the relevant condition or disability will be considered as appropriate. Where unacceptable behaviour 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.

## **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, and victimisation will not be tolerated under any circumstances.
- 6.2 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 conviction during their studies. Relevant convictions, cautions, reprimands, final warnings or similar required to be disclosed include but are not limited to involving one or more of the following:
- violence including but not limited to threatening behaviour, affray, or any other offence involving the intention to cause harm, or actual/grievous bodily harm;
  - offences classified under the Sex Offences Act 2003;
  - offences involving firearms;
  - offences involving damage to property and/or arson;
  - unlawful supply of controlled drugs or substances;
  - offences classified under the Terrorism Act 2006.

6.3 In undertaking their studies, students will undertake their work with integrity, and respecting the work of others. Academic offences are dealt with under the Academic Regulatory Framework, 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.

6.4 The below is a list of examples of behaviours or actions deemed to be misconduct; this list is not to be considered exhaustive.

- conduct or action which inhibits the teaching, studying, research, and/or other activities of OCA;
- obstructing or interfering with the function or duties of any person/s;
- violent or aggressive conduct including but not limited to indecent, disorderly, or offensive behaviours or language, either orally or written;
- behaviour which impinges freedom of speech on OCA-organised forums;
- conduct that discriminates against any person/s on the basis of a protected characteristic defined by the Equality Act 2010;
- fraud, falsification of documentation, or deceit in respect of entry to OCA or any other activity;
- behaviour such as plagiarism, ghostwriting, or collusion, defined as academic misconduct;
- any behaviour that brings OCA and/or any partners into disrepute,
- failure to comply with OCA policy;
- offences related to assessment, including seeking to gain an unfair advantage;
- unauthorised or misuse of OCA facilities, including IT facilities and course materials;
- making false, or vexatious claims and/or complaints;
- misconduct prior to enrolment with OCA which should have been materially disclosed at the point of enrolment to OCA.

## **7. When concerns are raised**

7.1 Where OCA is concerned that infringement of the Student Code of Conduct or any other OCA policy has occurred, the following process will be enacted. 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 alleged decides to exercise applicable rights of appeal.

7.2 Concerns can be raised by other parties (be they students, staff, tutors, contractors, or other) by emailing [enquiries@oca.ac.uk](mailto:enquiries@oca.ac.uk). Where concerns are raised, the allegator will be requested to provide information relating to the student/s involved, the incident/s, and any other applicable details as determined by the investigating officer.

7.3 Where the OCA is concerned that a criminal act may have been committed, OCA reserves the right to refer such cases to the police. In such circumstances, OCA will suspend internal investigation proceedings until the outcome of police enquiries are concluded.

## **8. Investigations**

- 8.1 Where an investigation is required, OCA will look into the alleged circumstances, speaking with all concerned parties, and gaining as much information as possible to build a detailed picture of the incident/s concerned.
- 8.2 The officer dealing with the complaint will write to the student/s alleged of a breach of this code or other OCA policies, outlining the allegation, and giving five working days notice to respond to the allegation.
- 8.3 Following the five working day period, whether a response is received or not, the investigating officer will determine if on the balance of probabilities, the alleged infraction did occur and write to the student/s concerned informing them of the decision taken, and if applicable, any sanctions to be employed.
- 8.4 Students may appeal against a decision given by the investigating officer and ask for escalation to the next stage of the process.
- 8.4 Cases brought will be considered by the investigating officer at one of three potential stages in the process; the Head of Student Services at stage one, the Director of Curriculum and Quality at stage two, and by the Principal at stage three.
- 8.5 In certain circumstances, the investigating officer may feel that the case requires greater consideration, either as a result of the nature of the case itself, or as a result of the potentiality for sanctions. In such cases, the investigating officer may escalate the case to Stage Two resolution, or Stage Three as appropriate.
- 8.6 No right of appeal is available against decisions and/or sanctions determined by the Principal.

## **9. Sanctions**

- 9.1 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 exercising officer.
- 9.2 When considering appropriate sanctions to employ, consideration will be given to the nature of the transgression, the impact (potential and/or actual), and the circumstances leading to the breach.
- 9.3 The sanctions that may be imposed are:
  - 9.3.1 A written warning requiring the student to give assurances as to their future conduct, and any other stipulations as so prescribed.
  - 9.3.2 Compensation to OCA, individuals, or external organisations against identified loss;
  - 9.3.3 A requirement to participate in a training programme to educate other students about misconduct and consequences.
  - 9.3.4 Access restriction to OCA services as prescribed, and/or contact with named staff and/or tutors.
  - 9.3.5 Deferred expulsion for a period up to 12 months; further breaches during the prescribed period will result in expulsion from OCA.

9.3.6 Expulsion from OCA, with all benefits and rights pertained therein ceasing to be in effect, including the right to complete studies.

9.4 The investigating officer may apply sanctions dependent upon the stage of the case; sanctions 9.3.1-9.3.3 are applicable at stage one to three, 9.3.4 at stages two and three, and sanctions 9.3.5 and 9.3.6 at stage three only.

## **10. Further escalation**

10.1 Students dissatisfied with the process or outcome of the Disciplinary Procedure, may escalate the matter to Office of the Independent Adjudicator for Higher Education (OIA) as a complaint. This is an independent process for review of complaints.

10.2 Submission of cases to OIA must happen within 12 months of receipt of the outcome from the Principal and panel. OIA should be consulted before submitting a case as it has specific requirements for the way in which students submit complaints.

10.3 Details on the process are available on the OIA website <http://www.oiahe.org.uk/> or OIA can be contacted at the below address:

10.4 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).

## **11. Support for the code**

11.1 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.

11.2 For any assistance during an investigation, students may wish to speak to their Student Association representative for advice and guidance.

## **12. Control of the code**

12.1 This policy was authored by Craig Dewis, Head of Student Services in consultation with OCA Staff, and the Student Association and given approval through OCA Oversight Management Group in February 2021.

## **13. Reviewing the code**

13.1 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.

13.2 The next review date is June 2021. 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.