

Responsible Person	Quality Manager
Approving Body	Academic Board
Date of Approval	09.03.2020
Date of Effect	09.03.2020
Updated	December 2021
Next Review Date	Every four years (2025)
Queries	quality@metfilm.co.uk

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## 1. Policy Statement

1.1. MetFilm School (the School) provides teaching and learning to prepare its students for a successful career in screen content industries. We want our students to leave with a professionalism that will be acknowledged by industry, the skills to effectively collaborate with fellow creators, an open-mindedness that fuels innovation and a passion that drives them to excellence in everything they do.

1.2. This policy describes how the School looks upon the behaviour and conduct of its students, specifically any instance where a student is not meeting the required standards outlined by the School or that could be reasonably expected from a student.

1.3. This policy applies to all students in MetFilm School buildings, on off-site visits or at other locations while undertaking work placement or productions related to their programme of study. The policy also applies to School activities outside of timetabled teaching activities, such as events or activities put on by students that involve or are promoted by the School. The policy is designed to ensure that students are treated in a fair and equitable manner.

1.4. The Quality Manager is responsible for managing and reviewing this policy and is responsible for the effective operation of the Student Disciplinary policy and procedures outlined below.

1.5. The content of this policy aligns with government legislation, the regulations of the School's validating partner and other external stakeholders to whom the School must make reference.

1.6. The Student Disciplinary Policy has a link with the following policies and procedures:

- University of West London Academic Offences Regulations
- Student Code of Conduct
- Student Handbook
- Acceptable Use of IT
- Bullying & Harassment
- Health & Safety
- Student Engagement & Attendance Monitoring
- Safeguarding
- Social Media
- Student Disciplinary Appeals

1.7 In addition to the above policies and regulations MetFilm School has (in line with sector good practice guidance and following consultation with staff and students) adopted the [IHRA definition of Anti-Semitism](#), and uses this document internally when considering allegations of Anti-Semitism.

## 2. Disciplinary Principles

2.1. This Student Disciplinary policy and procedure was developed with the following principles in mind:

- All members of MetFilm School staff have a responsibility to ensure that student discipline is maintained.
- The Student Disciplinary procedure is designed to establish the facts quickly and to deal fairly and consistently with disciplinary issues.
- At every stage in the disciplinary procedure, students will be given details of the complaint against them and be given the opportunity to state their case before a decision is made.
- The procedure may be implemented from any stage, depending on how serious the alleged misconduct is.

- If a student feels that they have been unfairly treated, then they have the right to appeal against any disciplinary penalty. For more information, students should refer to the School's Student Disciplinary Appeals Policy.
- If the student is over 18 the student has the right to be accompanied by another person at formal disciplinary meetings and at any subsequent appeal (please refer to the Student Disciplinary Appeals Policy and Procedure). Students under the age of 18 or vulnerable adults should be accompanied by a parent/guardian.

2.2. **Burden of proof:** the burden of proof lies with the School to prove that the student has done what they are accused of doing.

2.3. **Standard of Proof:** The School will thoroughly investigate all transgressions of student discipline and in making judgements as to the appropriate course of action apply the principle of "balance of probability" based on the evidence available.

2.4. MetFilm School reserves the right to take disciplinary action against students for incidents not directly related to the School that could be considered to put other students or staff at risk or bring the School into disrepute e.g. allegations of assault or involvement in illegal drugs.

2.5. No student shall be suspended, excluded or expelled unless they have been given an opportunity to make representations in person to the Chief Executive Officer (CEO), Director or their nominee. Where for any reason it appears to the CEO, Director or their nominee that it is not possible for the student to attend in person, they shall be allowed to make written representations.

### 3. Student Discipline Expectations

3.1. MetFilm School always expects students to take responsibility for their learning and actions and behave in a mature and appropriate manner while involved in School activities. Students shall be responsible for familiarising themselves with the **Student Code of Conduct** as found in the **Student Handbook** and the **University of West London Academic Regulations**, and any other such Regulations of the School to ensure that they know what is expected of them.

3.2. The standards of student conduct are covered in separate policies and procedures and are also referred to in the Student Handbook.

3.3. The School expects that students, their representatives and staff will act reasonably and fairly towards each other and will treat the disciplinary process with respect.

3.4. All students are made aware of their responsibilities and the School's expectations of them as part of their induction to MetFilm School.

### 4. Definition of Misconduct

4.1. The conduct covered in this section shall constitute misconduct if it takes place on School property or premises or elsewhere if the student concerned is involved in a School activity, is representing the School or is present at that place by virtue of their status as a student of the School, including any industry experience placements.

4.2. It shall also constitute misconduct in any location whatsoever if the actions bring the good name of School into disrepute.

4.3. The following shall constitute misconduct:

- 1) Disruption of, or improper interference with, the academic, administrative, social or other activities of the School whether on School premises or elsewhere;
- 2) Obstruction of, or improper interference with, the functions, duties or activities of any student, member of staff or other employee of the School or any contractor or visitor;
- 3) Violent, indecent, disorderly, threatening, defamatory or offensive behaviour or language whilst on School premises or engaged in any School activity;
- 4) Fraud, deceit, deception or dishonesty in relation to MetFilm School or its staff or in connection with holding any office in the School or in relation to being a student of the School;
- 5) Action which causes or is likely to cause injury or impair safety on School premises; or when engaged in any School activity;
- 6) Breach of the provisions of the Policies, Codes, Rules and Regulations of MetFilm School and University of West London;
- 7) Behaviour which brings MetFilm School into disrepute;
- 8) Any form of harassment of any student, member of staff or other employee of MetFilm School or any contractor or visitor whether in person, in writing, by email, via the internet (including social media) or otherwise;
- 9) Damage to, or defacement of, School or associated property or the property of other members of the School community caused intentionally or recklessly or by negligence, and misappropriation of such property (including production equipment or kit supplied by MetFilm School or its partners);
- 10) Misuse or unauthorised use of School premises or items of property, including computer misuse (see Acceptable Use of IT policy);
- 11) Conduct which constitutes a criminal offence (including conviction for an offence) where that conduct:
  - a. took place on MetFilm School premises, or
  - b. affected or concerned other members of the School community, or
  - c. damages the good name of MetFilm School, or
  - d. itself constitutes misconduct within the terms of this Policy, or
  - e. is an offence of dishonesty, where the student holds an office of responsibility at MetFilm School;
- 12) Failure to disclose name and/or other relevant details to an officer or employee of the School, Ealing Studios, University of West London or its contractors in circumstances when it is reasonable to require that such information be given; or
- 13) Failure to comply with a previously-imposed warning under this Policy or any other Policies, Codes, Rules and Regulations of the School;

- 14) The deliberate false activation of a fire alarm;
- 15) Academic Misconduct: Warnings issued under Academic Misconduct regulations will be considered when applying this Policy;
- 16) Consumption of alcohol in a teaching and learning environment unless explicit permission has been gained e.g. as part of a School sanctioned private event/show/activity;
- 17) Bringing alcohol or controlled drugs onto School premises;
- 18) Coming into the School and associated premises in an unfit state to participate in lectures or other timetabled learning activities due to the consumption of alcohol, illegal or prescribed drugs;

4.4. The above list is indicative and not exhaustive. Other forms of behaviour which are not documented here may be considered misconduct.

## **5. Warnings and Misconduct Offences**

5.1. The School will normally adopt the following procedure:

- Informal / Verbal Warning
- First Warning
- Second Warning
- Final Warning/ Temporary Exclusion / Permanent Exclusion

5.2. This is a progressive process, which means that each time an offence is committed, the student may be moved to the next stage.

5.3. The School may move immediately to a more serious stage should it be felt the circumstances justify such action.

### **Stage 1: Minor Misconduct**

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#### **5.4. Stage 1: Minor Misconduct**

5.4.1. The following grading of offences is provided as guidance only and is not exhaustive:

- Failure to respond positively to informal warnings, requests or advice
- Bringing unauthorised visitors onto School premises
- General rowdiness and thoughtless behaviour or inappropriate behaviours or actions that do not cause a danger, threat or offence to others e.g. foul or abusive language or behaviour (non-discriminatory)
- Harassment: verbal / physical
- Spitting, littering, smoking in prohibited areas or other anti-social behaviour
- Repeated use of mobile phones or music-playing devices that disrupt scheduled teaching activities
- Unauthorised recording of a learning activity

5.4.2. The possible outcome of a confirmed incident of minor misconduct is:

- Informal / Verbal Warning
- First Written Warning

## **Stage 2: Serious Misconduct**

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### **5.5. Stage 2: Serious Misconduct:**

5.5.1. The following grading of offences is provided as guidance only and is not exhaustive:

- Repeated minor misconduct
- Inappropriate behaviours or actions that cause a danger, threat or offence to others
- Petty theft of personal property excluding cash
- Breaches of Health and Safety Regulations
- Damage to MetFilm School property or equipment, including property supplied by its partners
- Deliberate false activation of a fire alarm
- Deliberate refusal to provide information required for statutory purpose
- Failure to disclose identity when reasonably requested for it or giving incorrect information
- Use / issue fraudulent documentation NOT relating to qualifications / academic performance
- Knowingly making a false and vexatious allegation against MetFilm School or against any student or staff member

5.5.2. The possible outcome of a confirmed incident of serious misconduct is:

- First Written Warning
- Second Written Warning
- Final Written Warning

## **Stage 3: Gross Misconduct**

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### **5.6. Stage 3: Gross Misconduct**

5.6.1. The following grading of offences is provided as guidance only and is not exhaustive:

- Previous serious misconduct
- Fraud/ attempted fraud
- Use / issue of fraudulent documentation relating to qualifications/academic performance
- Major disruption of the academic programme or of the running of MetFilm School

- Serious breaches of Health and Safety regulations
- Physical abuse or threat of physical abuse
- Carrying or possession of weapons
- Criminal activity - in or out of MetFilm School - including theft, violence, sexual assault, deliberate damage to property/ goods and/or dealing, possession of, or under the influence of, illegal drugs
- Bringing alcohol or other illegal substances onto School premises
- Unable to take part in lessons or activities due to consumption of alcohol or other substances
- Unauthorised publication of a recorded learning activity (e.g. on YouTube, Facebook, etc) with or without malicious or defamatory comment
- Deliberate misuse of the School computer network, e.g. hacking

5.6.2. The possible outcome of a confirmed incident of gross misconduct is:

- First Written Warning
- Second / Final Written Warning / Temporary Exclusion / Permanent Exclusion

## **6. Suspension of Students**

6.1. MetFilm School may choose to suspend a student with immediate effect in the event of alleged gross misconduct, and where it is considered that the student may pose a risk to themselves, other students or staff, the School, or the conduct of an investigation.

6.2. Suspension will last until information has been gathered surrounding the incident of misconduct. In this instance, the student will subsequently be given opportunities to make representations in person to the CEO, Director or their nominee.

6.3. Suspension should not be seen, or used as, a punishment in itself and is a neutral act. It is a means of removing a student from a potentially difficult or dangerous situation whilst an investigation is carried out.

6.4. The School will inform the student, and parents/ guardians if the student is under 18 or a vulnerable adult, in writing within 24 hours of the reason for suspension and the restrictions this places on them.

6.5. Suspension and Temporary or Permanent Exclusion bars a student from all MetFilm School activities (on or off-site and including those organised by MetFilm Futures, the Marketing team or Student Senate), prohibits access to School facilities and premises and any external events or activities held on School premises, without prior written permission from the CEO, Director or their nominee.

## **7. Criminal Offences**

7.1. If there is a genuine reason to believe that a student has committed a criminal offence, MetFilm School will refer the matter to the police as appropriate.



7.2. The following procedures will apply where the alleged misconduct constitutes an offence under criminal law if proved in a court of law.

7.3. Where the offence under criminal law is considered not to be serious, action under this Policy may continue, but such action may be deferred pending any police investigation or prosecution.

7.4. In the case of all other offences under the criminal law, no action (other than suspension or exclusion) will be taken under this Policy unless the matter has been reported to the police and either prosecuted or a decision not to prosecute has been taken, at which time the CEO, Director or their nominee or its nominee shall decide whether disciplinary action under this Policy should continue or be taken.

7.5. Where a finding of misconduct is made and the student has also been sentenced by a criminal court in respect of the same facts, the court's penalty shall be taken into consideration in determining any disciplinary action.

7.6. Except in cases considered not to be serious, if the victim will not report the matter to the police or will not co-operate in their enquiries the School will not use its internal procedures to proceed with the matter. Only in exceptional circumstances will the School report an alleged crime to the police contrary to the wishes of the victim.

7.7. If the police or the Crown Prosecution Service decide not to prosecute, MetFilm School may, exceptionally, proceed with action under this Policy depending on the reasons for the non-prosecution.

7.8. Where appropriate, the School may refer offences relating to controlled drugs to the police.

## **8. Representation**

### **Student Representation**

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8.1. All formal invitations to disciplinary meetings will outline the student's rights to bring with them a friend, parent, mentor or other representative. Students under the age of 18 or vulnerable adults must be accompanied by a parent/ guardian. Any other representation is not normally allowed except with express permission by the Chair of the Disciplinary Meeting.

### **Advocacy**

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8.2. Helping a student to speak for themselves during the disciplinary procedure and ensuring that they are heard is known as "advocacy". It is the responsibility of the School to ensure that a student is provided with appropriate support. Students should be encouraged to make use of the support and guidance of the Student Services team for this purpose during the appeals process.



8.3. Students will be offered a meeting with a member of Student Services team to outline the Student Disciplinary process.

8.4. Additionally, some young people, vulnerable adults and those who do not have English as a first language may need help to speak for themselves and to get other people to listen to what they say. This is particularly true when they are being disciplined by other people who are in a position of power over them. Students will be offered a meeting with a member of the Student Services team if student needs are identified.

## **9. Confidentiality**

9.1. It is not normally appropriate to keep the identity of witnesses secret during disciplinary proceedings. To do so may undermine a student's ability to defend themselves. There may be occasions where the disciplinary process requires evidence from a witness.

9.2. If the witness does not agree to the student knowing their identity it may not be appropriate to rely on their evidence.

9.3. The School recognises that some aspects of discussions or evidence may be confidential or inappropriate to share amongst a wider audience. The person chairing the meeting will decide as to the appropriateness of what information should be disclosed e.g. names of witnesses where there is a concern about their welfare or safety.

## **10. Right of Appeal**

10.1. Where a student is dissatisfied with the outcome of disciplinary proceedings under this policy, they may submit appeal against the decision or outcome.

10.2. Appeals must be made in writing, within 10 working days of being notified of the outcome and in accordance with the MetFilm School Student Disciplinary Appeals policy.

10.3. Students should note that appeals will only be accepted on the grounds specified in the MetFilm School Student Disciplinary Appeals policy.

## Appendix 1 - Procedures

This appendix sets out the procedures to be followed by MetFilm School in relation to its Student Disciplinary policy.

### 1. Student Disciplinary Framework

1.1. The framework consists of the following stages:

- Informal / Verbal Warning
- Stage One – Minor Misconduct
- Stage Two – Serious Misconduct
- Stage Three – Gross Misconduct

### 2. Informal Procedure

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2.1. Any member of staff can, and should, discuss minor issues of misconduct or unsatisfactory standards of work with students advising them of the standards required and the possible consequences of further or repeated unsatisfactory behaviour or work.

2.2. Members of staff will only bring minor infringements to a student's attention for their benefit or the benefit of others; it is in everyone's interest for students to co-operate.

2.3. This advice is classed as informal or verbal warnings and does not require official documentation; however staff may be required to provide evidence that verbal warnings have been given in subsequent stages of the student disciplinary framework. Therefore it will be usual for a note to be made against the student record to reflect that an informal warning has been issued.

### 3. Formal Procedure

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3.1. Most minor faults will be dealt with informally by members of MetFilm School staff. If a student fails to respond positively to informal warnings or advice, the formal student disciplinary procedure should be followed.

3.2. The responsibility for conducting and managing the formal MetFilm School Student Disciplinary procedure lies with the areas detailed below. In the absence of the appropriate member of staff, a person in a similar role should be appointed to take on the process.

- Minor Misconduct – Deputy Director
- Serious Misconduct – Deputy Director
- Gross Misconduct – Deputy Director, Director or Chief Executive Officer

- Appeals against Misconduct outcome – Quality Manager / alternative Deputy Director, Director or Chief Executive Officer

3.3 The member of staff hearing a student's appeal will never be the same person who has been involved in the application of the original disciplinary action against them.

3.4. A member of staff who identifies or who is made aware of the misconduct shall draw it to the attention of the student. This interaction may be recorded and should it be considered actually or potentially serious it will be drawn to the attention of the above member of staff in writing and the student informed that this is happening.

3.5. At each stage the following will be in place:

3.5.1. **Recorded** – All aspects of the formal process, including notification of a Final Written Warning, Suspension or Exclusion, will be recorded by Student Services & Administration filed centrally and the student's electronic record updated. The student will also be given a copy of the written record.

3.5.2. **Action Planned** – In all cases the outcome should identify any action that is required by the student to demonstrate sustained improvement.

3.5.3. **Additional Support** – In some cases it may be necessary to identify and recommend additional support, either from within MetFilm School or from external agencies that may aid the student's progress.

### **3.6. Stage 1: Minor Misconduct**

3.6.1. If a student is not meeting the expectations being placed upon them by the School and there is a "cause for concern" (whether formally reported or not) it is the responsibility of the Deputy Director to undertake a 1-to-1 meeting and:

- Discuss why there is "Cause for Concern" (CFC) and the reason for the meeting;
- Identify any support needs that may be required e.g. Additional Learner Support, Financial Support etc.;
- Identify and agree the required actions and timescales for improvement.

3.6.2. This meeting will be recorded by a member of Student Services & Administration acting in a supporting role, filed centrally and the student's electronic record updated. The student will also be given a copy of the written record.

3.6.3. Where necessary a copy of this will be sent to other stakeholders / support services as appropriate.

3.6.4. It is the responsibility of the Deputy Director in conjunction with tutors to monitor progress against the identified actions. To this end, the Deputy Director should arrange another meeting within six weeks of the original meeting with the student to monitor progress. If the student has not made the required progress and is

consistently failing to meet the required standards they should be referred to Stage 2.

#### 3.6.5. Possible outcomes:

- No further action
- Verbal Warning
- First Written warning - If appropriate additional sanctions may be imposed such as restricted participation in School events or trips (including Student Senate), loss of access to programme enrichment benefits, including tutorials, Masterclasses etc.

### **3.7. Stage 2: Serious Misconduct**

3.7.1. In the event of alleged serious misconduct or if at Stage 1 no progress has been made, a Disciplinary Meeting will be convened within 10 working days consisting of, as appropriate:

- Deputy Director
- Student
- Tutor / Mentor
- Advocate / representative – if appropriate
- Parent(s) / Guardian – if appropriate
- Other agencies / persons as appropriate e.g. Student Services / Social Services, etc.

3.7.2. Participants must be given a minimum of 3 working days notice of the meeting in writing.

3.7.3. Before the meeting, evidence should be gathered by an Investigating Officer appointed by the Deputy Director, with support from Student Services & Administration, as a part of an investigation of the alleged serious misconduct.

3.7.4. The allegation of serious misconduct will be put to the student by the Deputy Director, based on evidence collected as part of the investigation. The student will have an opportunity to respond and seek clarification.

3.7.5. This meeting will be recorded by Student Services & Administration, filed centrally and the student's electronic record updated. The student will also be given a copy of the written record.

3.7.6. Where necessary a copy of this will be sent to other stakeholders (e.g. parents / employer) and support services as appropriate.

#### 3.7.7. Possible outcomes

- No further action
- First Written warning - If appropriate additional sanctions may be imposed such as restricted participation in School events or trips (including Student Senate) etc.

- Final Written Warning - If appropriate additional sanctions may be imposed such as restricted participation in School events or trips (including Student Senate), loss of access to programme enrichment benefits, including tutorials, Masterclasses etc.

3.7.8. NB: Students cannot be removed from elected or representative positions without prior consultation and agreement of the CEO, Director or their nominee.

### **3.8. Stage 3: Gross Misconduct**

3.8.1. The School may choose to suspend a student with immediate effect in the event of alleged gross misconduct, and where it is considered that the student may pose a risk to themselves, other students or staff, MetFilm School, or the conduct of an investigation. If a member of staff observes behaviour which may be considered gross misconduct, this must be reported to the CEO, Director or their nominee for a decision to be made as to whether the student should be suspended.

3.8.2. Suspension will last until information has been gathered surrounding the incident of misconduct. In this instance, the student will subsequently be given opportunities to make representations in person to a member of the Executive or nominee from SMT.

3.8.3. In the event of alleged serious misconduct or if at Stage 1 or 2 no progress has been made, a Disciplinary Meeting will be convened within 10 working days consisting of, as appropriate:

- Director or Chief Executive Officer or their nominee
- Deputy Director
- Student
- Advocate / representative – if appropriate
- Tutor / Mentor – if appropriate
- Parent(s) / Guardian – if appropriate
- Other agencies / persons as appropriate e.g. Student Services / Social Services, etc.

3.8.4. Participants must be given a minimum of 5 working days notice of the meeting in writing.

3.8.5. Before the meeting, evidence should be gathered by an Investigating Officer appointed by the Deputy Director, CEO, Director or their nominee as a part of an investigation of the alleged gross misconduct.

3.8.6. The allegation of gross misconduct will be put to the student by the Chair of the meeting based on evidence collected as part of the investigation. The student will have an opportunity to respond and seek clarification.

3.8.7. This meeting will be recorded by Student Services & Administration, filed centrally and the student's electronic record updated. The student will also be given a copy of the written record.

3.8.8. Where necessary a copy of this will be sent to other stakeholders (e.g. parents / employer) and support services as appropriate.

3.8.9. Possible outcomes:

- No further action
- First Written warning - If appropriate additional sanctions may be imposed such as restricted participation in School events or trips (including Student Senate), loss of access to programme enrichment benefits, including tutorials, Masterclasses etc.
- Final Written Warning - If appropriate additional sanctions may be imposed such as restricted participation in School events or trips (including Student Senate), loss of access to programme enrichment benefits, including tutorials, Masterclasses etc.
- Temporary Exclusion – A period of up to 10 working days may be considered as an outcome. This is not to be confused with suspension.
- Permanent Exclusion – A student may be permanently excluded where it is considered that this would be in the best interests of MetFilm School and other learners.

3.8.10. NB: Students cannot be removed from elected or representative positions without prior consultation and agreement of CEO, Director or their nominee.