

	Title:	Student Disciplinary Procedure			Ref:	PRO-071	UKSA
	Type:	Procedure	Version:	2	In effect from:	06/05/2025	
Integrity	Approved by:		Chris Frisby				

Introduction

UKSA's mission is to widen access to maritime training, enhancing life skills and employment within the sector. We take very seriously the requirement to protect the credibility of our educational and training qualifications systems. Therefore, it is essential that UKSA has a student disciplinary procedure which is sufficiently robust to withstand challenge. This procedure, including the appeals procedure, has the ultimate sanction to remove students from UKSA. Removal will always remain an action of last resort.

This procedure applies to all educational and maritime training students. This Disciplinary Procedure defines the acts of misconduct (along with some examples) and details the procedure to be followed in the case of a suspected disciplinary action.

This procedure aims to:

- identify and minimise the risk of misconduct by UKSA students
- facilitate a prompt and objective response to any incident of alleged misconduct
- standardise and record any investigation of misconduct to ensure openness and fairness
- provide a staged procedure to allow for cumulative warnings, where appropriate, on students where incidents (or attempted incidents) of misconduct are proven

Dealing with Disciplinary Issues

Where concerns of student conduct arise, they will be dealt with quickly, sensitively, robustly and above all fairly. When a matter arises UKSA will investigate considering, where available, any evidence and statements.

An investigation will involve establishing the facts by undertaking investigatory meetings, as appropriate and sourcing witness statements where necessary.

Having established the facts UKSA will decide whether to take no action, deal with it informally or arrange for it to be handled formally as detailed below. Where an investigation is necessary, the person suspected may be suspended for a period of up to two weeks whilst the matter is investigated.

At the conclusion of an investigation it may be deemed:

- a) there is no case to answer and so no further action is required.
- b) There are no grounds for a disciplinary hearing however a written letter of advice is required.
- c) A formal disciplinary hearing is warranted.

Definitions

Minor Misconduct

Proper conduct and professional behaviour by students is essential to ensure the efficient operation of UKSA on a daily basis. The Student Code of Conduct tells them what is expected of them and if they break any behaviour rules this is misconduct. Examples of minor misconduct include, but are not limited to:

- consistent lapses in attendance and punctuality
- consistent use of swearing/unacceptable language
- lack of respect for UKSA, its staff and property
- performance, including non-submission of work

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- lack of participation in timetabled group activities
- use of mobile phones at inappropriate times
- smoking outside of designated smoking areas
- inappropriate clothing
- rowdiness, habitual swearing, disruptive behaviour or generally messing about
- behaviour, on or off site, which could bring UKSA into disrepute
- failure to respond to a reasonable request from staff i.e. sitting in corridors/congregating around entrances

Gross Misconduct

Gross misconduct is unacceptable or improper behaviour of a very serious nature. In the event of a student committing or suspected of committing an illegal or unlawful act UKSA may decide to refer the matter to the Police. Where an investigation is necessary, the person suspected may be **suspended for a period of up to two weeks** whilst the matter is investigated. Examples of gross misconduct include, but are not limited to:

- Repeated minor misconduct
- Wilful damage to bed linen, fixtures, fittings, or building structure resulting in repair or replacement.
- Theft
- Fraud- wrongful or criminal deception intended to result in financial or personal gain
- Serious insubordination
- Sharing of any internet sites containing pornographic, offensive or obscene material with under 18-year-olds
- Making, possessing, and distributing any imagery of someone under 18 which is indecent - this includes imagery of yourself if you're under 18.
- Negligence which causes serious consequences
- Serious misuse of UKSA's name or property
- Cheating in tests or exam

Zero Tolerance

UKSA will NOT allow any individual(s) to disrupt or threaten its learning and training environment. The following are outside the scope of this Disciplinary Procedure as they will not be tolerated at UKSA and as such must be reported immediately upon discovery to the Director of Training & Operations. The student will be **asked to leave the site**, if in a fit state to do so, and not allowed to return until a full investigation has been completed.

Zero tolerances are:

- **Drugs**
UKSA will not tolerate any individuals found to be in possession, using, selling or being under the influence of drugs. Drugs have no place in the Maritime Industry and UKSA is no exception. If you are caught or are believed to be associated with them during your stay at UKSA, you may be expelled from the UKSA immediately. The use of prescription drugs should be limited to the person to whom they have been prescribed and, in the dosage, prescribed.
- **Alcohol**
Due to the nature of the course and the environment, excessive drinking can lead to serious fatigue, illness and will likely affect your performance ashore and afloat. For your own safety and the safety of

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others you will not be allowed to go afloat or attend classroom-based lessons if you are deemed unfit by an instructor. If teaching content is missed it is your responsibility to catch up on what has been missed. UKSA holds no responsibility for any injury incurred using alcohol in a student's free time.

Under 16's are not permitted in UKSA Bar without a responsible supervising adult, and under 18's will not be served alcohol. The purchase on behalf or provision of alcohol to anyone under 18 by an adult is prohibited.

- **Fighting / Physical Violence**
The Maritime industry involves living and working with people in close proximity and there is no place for aggressive, threatening or intimidating behaviour or possession of weapons of any kind.
- **Bullying, Victimisation and Harassment**
UKSA will challenge bullying in all its forms including sexual, race, religion, colour, age, national origin, disability, or any other grounds and take quick clear and decisive action to protect students and staff. Where appropriate UKSA will take disciplinary action against those who are found to have bullied others.
- **Sexual Assault**
Assault and/or improper behavior with a minor including taking Under18's to another room will result in expulsion from UKSA and information will be passed to police

UKSA Responsibilities

UKSA will ensure that all educational and maritime students are given ample opportunity fully to understand the behavioural standards and requirements they must follow.

Each student will go through a documented induction program and be supplied with the relevant Course Handbook/Pack and Code of Conduct. It will be made clear that acts of misconduct are not acceptable in any circumstances and, where such acts are shown to have occurred, an appropriate penalty will always be enforced.

UKSA reserves the right to involve an independent third party, such as a safeguarding professional, should the need arise.

UKSA will ensure there is a gender balance for students being interviewed as part of an investigation or disciplinary hearing. e.g if the student is female, UKSA representation will include a female member of staff.

Records of disciplinary matters will be treated as confidential and kept no longer than necessary in accordance with GDPR Regulations 2018.

Student Responsibilities

Whilst studying at UKSA it is vital that students maintain high standards of personal conduct. The standards expected are the professional standards expected by the global marine industry. These standards are expected to be observed both on and off site as student behaviour is a direct reflection on themselves and UKSA.

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Dealing with a Student Disciplinary Issue

This procedure should be followed when a student's behaviour fails to meet the expectations and standards set out in the Student Code of Conduct agreement, Accommodation agreement, and any associated additional Standing Orders or contracts as appropriate to their course. Actions will be taken if the behaviour threatens the learning environment, or the work of staff or visitors, threatens other people's safety/ability to achieve or could bring UKSA into disrepute.

Each case is different, and disciplinary panels are expected to use their judgment in deciding the seriousness of an issue and deciding whether there are aggravating circumstances that might affect the severity of the penalty. Panels must attempt to ensure consistency of treatment between cases, making a judgement about what is a proportionate penalty and ensuring that the penalty chosen does not have consequences for educational or training progression which are disproportionate in impact. All proceedings associated with the student disciplinary procedure must follow the principles of natural justice and UKSA staff will act fairly, in good faith and without bias. All parties involved will have the opportunity to adequately state their case and ultimately to appeal a decision.

The process has **three** stages. Prior to Stage One informal action should be taken by the staff member in immediate contact with the student for cases of minor misconduct.

Informal Action

Any case of misconduct should be reported using the Student Behaviour Cause for Concern Form FT-001. This form should be completed by any member of UKSA staff who feels the need to report student behaviour. These forms must be completed and sent to the relevant Manager within **24hrs** from when the issue occurred.

At the informal stage the appointed staff member should encourage the student to improve their behaviour and/or performance. Should this informal action not achieve the required outcome appropriate disciplinary action may be necessary entering either Stage One for minor misconduct or Stage Three for gross misconduct.

Cause for concerns related to behaviour defined as **zero tolerance** or **gross misconduct** must be reported directly to the Director of Training and Operations who will appoint a staff member to address the issue raised.

Stage One: Verbal Warning

Where informal action has not led to the improvement of student behaviour the relevant Manager will instigate a formal action. This may include either of the following:

- Where there has been two Cause for Concern forms completed related to the same issue.
- One incident of minor misconduct that warrants an official verbal warning.

The relevant Manager will discuss an agreed plan of action for improvement with the student. The plan should be signed by the student and the relevant Manager and a review date set, usually within a **two-week** period. A record should be made on Salesforce any relevant staff notified. If the student is under 18 a copy of the Cause for Concern and Action Plan shall be posted to their parents/guardians.

One further verbal warning to the student will be allowed at which point the matter will be escalated to Stage Two. The two warnings do not necessarily have to have been given for the same category of misconduct, each case will be judged on its own merit.

Stage Two: Written Warning

If the behaviour has not been resolved at Stage One, the student moves to Stage Two. This will involve a formal

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meeting with a designated Manager of B3 level or above.

The student must be advised that the meeting is likely to involve a written warning and of their right to attend with their own representative (e.g. parent, carer, employer or friend). Alternatively, a mentor can be asked to accompany the student. At the meeting, the behaviour will be discussed in detail with the student.

The three possible outcomes of a formal disciplinary meeting are.

1. No further disciplinary action is taken. The previous verbal warning and action plan stands with an amended review date.
2. The negative behaviour has continued, and the student receives a written warning, and a plan of action is agreed by all parties and a review date agreed and set. The review date should be within **two** weeks of the interview. A copy of the signed action plan and formal written warning should be given to the relevant staff and a note entered onto Salesforce. If the student is under 18 a copy of the Action Plan and written warning shall be posted to their parents/guardians. If the student is in receipt of a bursary a copy of the Action Plan and written warning shall be sent to the Performance Manager who shall determine whether to notify the awarding party.
3. The student feels they are on the wrong educational or maritime training programme, and they may wish to consider a careers/industry guidance interview to discuss the possibility of making a new booking on onto an alternative more suitable course. The student carries their disciplinary record with them and the normal Terms and Conditions of booking a course apply. The record remains on file and the action plan remains open."

A total of **two** written warnings regarding the same issue will take the student to Stage Three.

Stage Three: Review by Head of Department

If Stage Two does not achieve the desired improvement in performance or behaviour by the review date, then the issue is referred to a Head of Department who will chair a formal review. This will normally occur only when Stage One and Two of the procedure has been actioned or the behaviour has been escalated straight to Stage Three of the process due to Gross Misconduct. The student may be suspended during the investigation, depending on the circumstances.

The Head of Department will interview the staff involved, the student with their representative and any other relevant witness. The student should receive a minimum of **two days' notice** of the review date and should be advised in writing of the reason for the review. If the student is under 18 years of age, then a parent/carers will be informed of the review in writing.

There are two possible outcomes of this review: -

1. The matter is resolved, and no further disciplinary action is taken. The previous action plan stands with an amended review date.
2. The behaviours have continued, and the student receives a **final written** warning and agrees to an appropriate action plan. A copy of the signed action plan and formal written warning should be given to the relevant staff and a note entered onto Salesforce. If the student is under 18 a copy of the Action Plan and written warning shall be posted to their parents/guardians.

The Manager will monitor improvements in the student's performance, in consultation with other UKSA staff.

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Student Exclusion

If the behaviours continue beyond the review date the Department Manager will inform a Director and a recommendation to exclude will be made. If a decision is made to exclude the student, and their parent/guardian if under 18, will be informed in writing by recorded delivery. The student will be advised of their right of appeal. **It is usual to define a time period for this exclusion, usually at least one academic year.**

UKSA reserves the right to exclude a student permanently where the severity of the circumstances indicates that to do otherwise present an unacceptable risk to UKSA students and staff.

Right to Appeal

The student receives written notification of the outcome of the decision to exclude but in the first instance may also receive the outcome verbally. In this notification the student should be informed of their right to appeal against the decision to the Director of Training and Operations of UKSA. The student must write within **ten days** of the date of the letter setting out the grounds of their appeal. The Director of Training and Operations will hear the appeal. Notification of an appeal hearing will be sent to the students normally within **ten days** of receipt of the appeal letter. The hearing will take place normally within **15 days** of the invitation to hearing letter. The student will be advised in writing the outcome of the appeal. The decision of the Director of Training and Operations will be final.

Sources of Further Information

FRM-080 Careers Courses Terms and Conditions
 FRM-081 Professional MCA Training Terms and Conditions
 FRM-082 Leisure Training Terms and Conditions
 POL-057 Career and MCA Student Code of Conduct
 POL-094 Malpractice Policy

GDPR

Information and documentation will be held and processed in line with GDPR guidelines.

Training Requirements

Operations Departmental Managers will be trained by DTO and supported in the management of student disciplinary hearings

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Student Disciplinary Process Map

