

STUDENT DISCIPLINARY APPEALS PROCEDURE

1. Purpose

To hear appeals from students against the decisions of any disciplinary panel on the grounds referred to in paragraph 2.1

2. Composition of the Students Disciplinary Appeals Panel

2.1. The Panel will consist of:

2.1.1. The Managing Director or in his/her absence one of the following – the Operations Manager, Student Services Manager or an Academic Manager

2.1.2. A senior member of staff not previously involved in the case (i.e. a member of the Senior Management Team)

3. Procedure

3.1. Grounds for Appeal

3.1.1. Evidence that the judgement of at least one member of the panel at the disciplinary hearing was impaired;

3.1.2. Evidence that the previous disciplinary hearing was not conducted according to procedures;

3.1.3. Emergence since the first hearing of relevant new evidence; and

3.1.4. Plea for leniency, based on past performance and behavior.

3.2. An appeal must be received within 10 business days from the date of the letter informing the student of the outcome of the Disciplinary Hearing. A student must give notice of the appeal, in writing, to the Managing Director, stating their grounds for the appeal.

3.3. The Managing Director will convene a meeting of the Student Disciplinary Appeals Panel, within 10 business days of receipt of the grounds of appeal. The student will then be informed of the date of appeal hearing and the names of the Appeal Panel members. The student will be sent a copy of the Student Disciplinary Appeals Procedure.

3.4. The student will be informed that he/she may be represented or accompanied at the appeal hearing by one of the following: a parent, relative, friend, or personal tutor. The student must notify the Director, at least 2 business days in advance of the hearing, of any representative they

will have at the hearing. Should the student choose to be represented or accompanied by a lawyer, TSoM reserves the right to instruct a lawyer to represent it at the hearing.

- 3.5. The student should submit any documentary evidence they wish to be considered at the hearing to the Managing Director at least 2 business days prior to the hearing.
- 3.6. The student, members of the Student Disciplinary Appeals Panel, will have copies of correspondence, investigative reports, and witness statements
- 3.7. At the commencement of the appeal hearing, the student will be asked to explain the grounds for their appeal and state his/her case, which must relate to at least one of the grounds for appeal. Witnesses will not normally be asked to attend appeal hearings except in relation to any relevant new evidence which has come to light since the decision of the Student Disciplinary Panel was made.
- 3.8. The Student Disciplinary Appeals Panel may reach the following conclusions:
 - 3.8.1. Uphold the decision of the Student Disciplinary Hearing;
 - 3.8.2. Overturn the decision of the Student Disciplinary Hearing;
 - 3.8.3. Amend the decision of the Student Disciplinary Hearing (the Panel may impose a greater sanction against the student than that determined by the Student Disciplinary Panel);
 - 3.8.4. Remit the matter back for a new disciplinary panel to re-hear the case; and
 - 3.8.5. Request further information before reaching conclusion 3.8.1, 3.8.2 or 3.8.3 above. In such circumstances, the appeal may be adjourned for a maximum of 10 business days. Any further information obtained will be made available to the student at least 2 business days prior to the adjourned hearing.
- 3.9. The proceedings and outcome of the Disciplinary Appeal Hearing will be documented, within 5 business days from the date of the hearing. This form should then be copied to the relevant Manager and a copy should be placed on the student's personal portfolio.
- 3.10. The decision of the Student Disciplinary Appeals Panel must be communicated to the student, in writing, within 5 business days of the date of the appeal hearing. The decision of the Appeals Panel is final; there will be no further appeal mechanism within TSOM.

4. Notes

All appeal hearings will be noted by an independent member of staff of TSOM and reviewed for accuracy by the Appeal Panel

5. Timing

With the exception of the time allowed for lodging an appeal, time periods stated in this procedure are for guidance and may be varied with the agreement of both parties if it is not practicable to adhere to them. Written notice of any such variation will be given.

Last Updated: August 7th, 2018