

## Student Conduct Regulations

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## **Introduction**

Spirit Studios' facilities are used constantly by many people and therefore it is necessary to impose certain regulations to ensure we operate smoothly and efficiently for everyone's benefit. We hope to ensure that your time spent with us is rewarding, and in order to meet your expectations and to serve everyone equally and fairly, we have a number of policies and procedures in place which we ask you to take into consideration.

Please take the time to read all of our policy documents; they can be found on our website, in the menu at the bottom of the page. And please don't hesitate to contact a member of staff if you need further clarification on any points in the procedural documents.

## **General Etiquette**

As a Spirit Studios student, you will be treated fairly and with respect by all members of staff. Please reciprocate by treating staff and fellow students in the same manner. Within classroom or studio sessions, you are expected to behave in a professional and respectful manner. Please do not disrupt the activities of your fellow students or member of staff by e.g. arriving late; talking at inappropriate times; or inappropriately using a mobile device. Any student who is disruptive may be asked to leave for the duration of the session.

From time to time you may bring in guests to help you with your coursework or studio sessions; please be aware that students are responsible for the behaviour of their guests, which includes their adherence to the regulations and school policies.

Spirit Studios also expects students to be respectful while they act as our ambassadors, for example on field trips or in periods of work placement.

We would like to ask that you keep the premises tidy by disposing of rubbish in the bins provided. In some areas there is provision for recycling; we would ask that you follow the recycling instructions and help maintain our commitment to environmental policies. Please turn off any devices that you've been using when you leave a facility (i.e. computers, monitors etc.), and also switch off the lights and air conditioning if you are the last person to leave a room.

## **Mobile Devices**

While we are aware that some students use their mobile devices in class as part of the learning process, we also know that they can be a distraction, and can interrupt the flow of a lesson for both the tutor and other students.

We would ask for your consideration and that if you do wish to use your mobile device in class, to switch it to in-flight mode so that the session is not interrupted with calls or notifications.

If at any time you are expecting an urgent or important call, please discuss this with your tutor prior to the start of the session. If you have a valid reason (for example, a serious health issue with a family member), then your tutor will of course understand and allow you to take the call. Under these circumstances your phone should remain on silent during the class, and if you have to accept a call, then quietly alert your tutor and leave the room with as little disruption as possible to the lesson and your fellow students.

## **Your Details**

Spirit Studios will ask you for your contact details at, or prior to, enrolment. It is your responsibility to ensure that we are kept fully informed of any changes that occur. Spirit Studios cannot be held responsible for any subsequent problems you encounter relating to incorrect data if you fail to inform us of changes.

Your contact details are held on our Stingray database, which you can login to via the Student Portal and make updates to your details (address, home and mobile telephone numbers, alternative email address). If any problems arise while amending your details, please contact a member of the admin staff as soon as possible.

Failure to maintain accurate contact details may mean you miss out on valuable learning opportunities, miss out on notifications to any lesson alterations, and will affect your access to booking facilities.

It is also vitally important to ensure that your emergency contact details are always kept up to date. Without these, you may not be eligible for field trips or work placement opportunities.

## **Criminal Convictions and Offences**

As part of our enrolment process and Fitness to Study Procedures, all students are required to declare any relevant criminal convictions, cautions or warnings that they become subject to during their period of study. Any disclosure of information relating to a criminal conviction will be handled in accordance with data protection legislation and advice from relevant external agencies.

Relevant convictions include offences against the person whether of a violent or sexual nature, or convictions for commercial drug dealing or trafficking. The Safeguarding Lead/Deputy will decide whether there are any implications in relation to your ability to continue studies.

Where an alleged offence may also constitute a criminal offence and is reported to the police, Spirit Studios will normally defer action pending the conclusion of any police investigation and/or prosecution. Spirit Studios will reserve the right to take interim precautionary measures with due regard to the safety, academic and support needs of the staff and students.

The failure to disclose a relevant criminal conviction may constitute a disciplinary offence and potential dismissal from your course of study.

## **Your Timetable**

Your timetable will be issued to you prior to the start of your course or semester. At all times we take into consideration the needs of our students when timetabling courses but please be aware that we cannot please everyone all the time.

Generally speaking, for full time academic students the allotted hours of study are 9am to 7pm Monday to Friday. Please also be aware that at times we may need to change your timetable at short notice, for example due to staff illness. While we always endeavour to keep any changes to an absolute minimum we will alert you to any necessary changes at the earliest possible opportunity. Since any changes to your timetable will be kept within the allotted hours given for your course, we cannot be held

responsible for any lessons that are missed due to your personal schedule; however if you do miss a lesson due to a timetable change, please come and talk to us to find out what extra support can be offered.

Any classes that are cancelled at short notice due to staff illness, we will endeavour at all times to reschedule; however the replacement lesson may not always be offered in the same time slot as the original lesson.

## **Dress Code**

Spirit Studios has no formal dress code for students and encourages students to dress appropriately for each learning environment. In certain instances, for example on field trips or on work placement, there may be restrictions imposed by a third party or regulatory body and it is expected that students comply with these regulations. These restrictions might be for health and safety reasons, for example.

In all circumstances, students should be aware of the risks involved with working around any type of machinery with moving parts and take care with any form of loose clothing, ties, headscarves and jewellery. Students should also consider appropriate footwear at all times. There may be instances when specific risk assessments will be made which may restrict some articles of clothing or footwear.

Spirit Studios considers it unacceptable to display on clothing any sign, notification, message or material which is in its nature threatening, abusive, insulting, obscene, offensive, or constitutes harassment or is illegal, or makes others fear violence. In these circumstances we will ask you to leave the premises and return with more appropriate clothing.

## **Personal Hygiene**

You also have a personal responsibility to ensure appropriate standards of personal hygiene.

Washing your hands regularly is the best preventative for spreading germs (especially regarding COVID-19, colds and flu), but you should also shower/bathe regularly. You should also ensure that you change clothing regularly, and that your clothing and bedding is regularly laundered.

Lapses in personal hygiene may be an indicator of deeper emotional or societal problems, so please don't be offended if a member of staff wishes to talk to you about this; we have your best interests in mind. If you feel that you are experiencing problems with personal hygiene, come and speak with our welfare team, who can advise you in strictest confidence.

## **Facilities and Equipment**

We ask of course that you consider the facilities and equipment here as you would your own, and operate them with consideration.

Computers and computer terminals are particularly susceptible to damage, and so we do ask that you treat them with care. One of the most common faults with computers is damage to USB ports, usually because in most cases these are close to the ground and easily knocked by feet or chair legs. Damaged ports and USBs can short and cause

damage to your computer systems, as well as to your portable hard drives or flash disks.

Please do not knock or bang on the computer casings, or move the computers around. Never put your feet up on computer cases as a footrest or as a step to reach something, this can cause them to warp or bend.

All static equipment in both studios and computer suites, including cables, peripherals, furniture, etc., should not be moved or disconnected. Disconnecting cables or equipment, or removal of furniture or equipment can cause disruption to subsequent sessions for other students, and so should only be done with approval of a member of staff. If this is a requirement, please speak to a member of studio staff at reception.

More information on the care of computing equipment can be found in the Rules for the use of IT Facilities and Rules for the use of Facilities and Equipment policy documents.

## Operating Restrictions

For the safe operation of equipment on our premises, Spirit Studios must impose certain restrictions with which we expect all students to comply.

Eating and drinking are not allowed anywhere in the building apart from the Green Room on the ground floor. Food and drinks especially cannot be consumed anywhere there are computers or studio equipment. Within lessons we appreciate that hunger and thirst can be barriers to learning and so we encourage students to make sure that they attend to these needs prior to each session; however drinking bottled water discreetly may be allowed in classroom sessions if necessary, as long as the bottle remains out of sight and closed when not in use, and it is not consumed near computers or equipment.

Spirit Studios has a strict **No Smoking** policy, and smoking is only permitted at the designated smoking area at the fire exit outside the building in Charlton Place, which is to the right of the main entrance when leaving the building. There is a dedicated receptacle for cigarette ash and butts at this point.

Please avoid smoking directly outside the entrance as smoke can enter the building, and please avoid smoking elsewhere outside as this can trouble our neighbours and result in cigarette ends littering the ground.

This policy also includes the use of e-cigarettes and vaping.

Spirit Studios has a duty to provide a safe and healthy study and work environment that respects the laws relating to the possession, supply and production of illegal substances. We endorse a zero tolerance policy on the use of drugs and alcohol.\*

Anyone found under the influence of drugs or alcohol while on the premises, or in possession of illegal drugs or 'legal highs', or invites a guest onto the premises who possesses drugs or is under the influence, will be immediately asked to leave the building. In all cases this will lead to disciplinary proceedings, and in some cases, may lead to termination of your studies. This also pertains to organised field trips and work placements. For more information consult the *Student Alcohol & Drug Misuse Policy*.

Students should also be advised of the side effects of some prescription medication and that due caution should be taken if operating equipment is scheduled.

Anyone who is concerned about their use of drugs or alcohol is encouraged to seek advice. We recognise drug and alcohol misuse as a health problem and will provide assistance to anyone seeking support to access appropriate help or advice.

*\*On occasion, a Spirit Studios event may serve alcohol, and under these circumstances it is allowed and monitored, although anyone consuming alcohol will not have access to equipment.*

## **Dignity and Respect**

Students are expected to conduct themselves at all times in a manner which demonstrates respect for Spirit Studios, our staff, fellow students and property. All students will be asked to abide by our Equal Opportunities Policy statement at induction.

Spirit Studios works together with our student body and university and industry partners to promote a culture of dignity and respect throughout our community, and we therefore adopt a zero-tolerance policy on any form of violence or abuse perpetrated by or against our staff and students. Within these aims, it is our intention to:

- Promote a respectful environment conducive to learning where individuals feel confident in challenging aggressive behaviour and reporting abusive activity
- Challenge the causes of this type of behaviour, especially where verbal abuse is dismissed as 'banter'
- Promote a better understanding of sexual consent
- Promote an understanding that these activities may be criminal acts which can lead
- to prosecution, especially in the occurrence of 'hate crimes'
- Support students in reporting incidences and the mechanisms for reporting, and to
- respond swiftly to reports.

Any form of aggressive behaviour towards staff or fellow students will not be tolerated. Aggressive behaviour is behaviour that causes or threatens to cause physical or emotional harm to others. This covers all forms of bullying or harassment (see Section further in this document) and includes but is not restricted to: physical abuse; verbal abuse; racist, homophobic or transphobic views; misogyny and sexism, discriminatory practices; hostility or intimidation.

The following list details behaviour that is prohibited, but is not meant to be exhaustive:

- Behaving in a manner which is dangerous or is likely to lead to a breach of the peace or damage to property, cause injury or impair safety;
- Disruption of, or obstruction of, or improper interference with, the academic, administrative, social or other activities and functions of Spirit Studios.
- Violent, indecent, disorderly, aggressive, threatening or offensive behaviour or language by any means, including on social networking sites;
- Distributing or publishing a poster, notice, sign, publication or material of any nature which is threatening, abusive, insulting, obscene, offensive or constitutes harassment or is illegal, or makes others fear violence;
- Fraud, deceit, deception, misrepresentation, bribery, falsification of records or dishonesty in relation to Spirit Studios, our staff, students, or in relation to being a student of Spirit Studios, including misuse of the attendance monitoring system;
- Making defamatory and/or false claims about other students or staff which are not substantiated and where there is reason to believe they are malicious or vexatious;
- Harassment or bullying of any student, member of staff, any third party while on placement, or any visitor of Spirit Studios;
- Sexual misconduct;
- Damage to, defacement or misappropriation of Spirit Studios property or the property of other students or staff, caused intentionally or recklessly;

- Misuse or unauthorised use of the premises or items of property, including computer misuse which includes but is not restricted to visiting unsavoury or illegal websites;
- Deliberate disclosure of privileged and confidential information to unauthorised people; failure to adhere to intellectual property rights and/or breach of copyright;
- Failure to declare a relevant criminal conviction incurred whilst enrolled as a student;
- Behaviour which brings or may bring Spirit Studios into disrepute, irrespective of where the behaviour took place, including behaviour which damages or may damage Spirit Studios' relationship or reputation with local communities or external organisations;
- Failure to comply with the reasonable instruction of any member of staff in the course of their duties, including failure to disclose personal identification details;
- Engaging in any trade, business or employment, on our premises, without the express consent of Spirit Studios;
- Making or publishing a recording of a member of staff in the course of their duties without their express permission;
- Conduct which is intended to or has the effect of inciting or enticing, or aiding or abetting another student in the breach of any Spirit Studios Regulations/ Guidelines/ Conditions/ Policies.

## **Freedom of Expression**

In accordance with the European Convention on Human Rights, Article 10, students have the right to freedom of expression, including the freedom to hold opinions and to receive and impart information and ideas. The right is not absolute as it carries duties and responsibilities. It can therefore be restricted by Spirit Studios as prescribed by law and as necessary in a democratic society for certain legitimate purposes, including the protection of the rights of others (e.g. to protect other students and staff from harassment). Any restriction of the right by Spirit Studios will be proportionate to the purpose being pursued.

## **Harassment and Bullying**

Harassment is unwanted conduct that violates a person's dignity, or creates an intimidating, hostile, degrading, humiliating or offensive environment for that person. This includes any behaviour which is offensive, frightening or distressing and in all circumstances takes into account the perception of the victim. Harassment may take the form of intentional bullying, and may be obvious or violent, but it can also be unintentional, subtle or insidious. It may consist of a single incident or include a pattern of behaviour. The following non-exhaustive list contains examples of what might constitute harassment:

- Offensive gestures, language, gossip or jokes
- Insulting or abusive behaviour or comments
- Spreading malicious rumours
- Physical contact, ranging from an invasion of personal space and/or inappropriate touching, to serious assault
- Display of sexually suggestive, pornographic, racist or otherwise offensive pictures or other material or the transmitting of any such messages or images via email, mobile telephone or social media
- 'Outing' someone

- Upskirting
- Persistent unwanted isolation or exclusion, or persistent unwanted attention
- Humiliating or demeaning criticism.

Harassment can be said to occur when the behaviour is considered unacceptable to the complainant, and is not determined by the intention of the alleged harasser. Differences in attitude and culture, and the misinterpretation of social signals can lead to differences in perception of harassment; what might be perceived as harassment by one individual may not appear so to another. However in all cases, Spirit Studios will ensure that appropriate action is taken to support and protect students reporting harassment and that the behaviour of the harasser is minimised. We will take into account the perception of the reporting student, the circumstances of the incident, and whether the effect on the student was reasonable.

Bullying behaviour may be characterised as behaviour which is intimidating, malicious or insulting, or an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient. Examples of bullying might include (but not be restricted to):

- Spreading malicious rumours, or insulting someone (particularly on the grounds of age, race, disability, sexual orientation, gender, religion or belief)
- Ridiculing or demeaning someone – picking on them or setting them up to fail
- Exclusion or victimisation
- Unfair treatment
- Overbearing supervision or other misuse of power or position.

It is important to also note that bullying can take the form of face-to-face contact as well as written communications including email, SMS, social media and by visual imagery. Bullying can also take the form of victimisation – this can include:

- Excluding someone from social situations following a complaint or rumour
- Denying someone the opportunity to participate in a project, social event, or application for a placement opportunity because they are perceived to be a 'troublemaker'
- Lowering a student's assessment results because they have made or supported a complaint.

Harassment and bullying can also take the form of sexual misconduct or assault. Misconduct is defined as unwanted conduct of a sexual nature which occurs either in person or by correspondence, telephone, text, email, or social media. This may include:

- Engaging or attempting to engage in a sexual act without consent
- Threatening or abusive behaviour of a sexual nature
- Sexually touching another person without their consent
- Inappropriately showing sexual organs to another person
- Recording and/or sharing intimate images of another person without their consent
- Repeatedly following a person without good reason
- Inappropriate comments, jokes, wolf-whistling, banter or name calling.

Consent is defined as the clear and unambiguous agreement to participate in a sexual act, where the person has both capacity (i.e. the age and understanding to choose whether to take part in the activity at the time) and the freedom to make that decision (i.e. was not constrained in any way, e.g. wholly incapacitated due to alcohol or drugs). If the person has both the capacity and freedom to consent, the key question is whether they agreed to the activity by choice. Consent cannot be assumed on the basis of previous experience or previously given consent and each new act requires



re-confirmation of consent as the basis of a respectful relationship. Consent may be withdrawn at any time.

## **Disciplinary Procedure**

Spirit Studios is committed to providing a learning environment that is conducive to the academic and social wellbeing of all staff and students. We reserve the right to take disciplinary action against any student in respect of any alleged misconduct, or where the alleged behaviour may adversely affect the reputation of Spirit Studios, our staff, our students or the wider community, including where the student has been convicted of a criminal offence.

Where a need arises for this disciplinary procedure to be used, the following stages may typically be implemented in sequence, however the nature of any alleged misconduct will ultimately determine which stage of the disciplinary procedure is implemented.

### **Informal Warning**

Allegations of misconduct or inappropriate behaviour should be dealt with informally wherever possible, through discussion with the student and a relevant member of staff.

The outcome may be an informal warning or advice given, stating potential consequences of this behaviour, and where appropriate you will be sign-posted to relevant support services.

An informal warning may be given for example for disruptive behaviour in class. Informal warnings are not recorded in your student record.

Where an allegation of misconduct or inappropriate behaviour is considered to be more serious, this will be reported to the Curriculum & Quality Manager or Director of Spirit Studios.

### **Disciplinary Meeting**

Where the Curriculum & Quality Manager or Director considers the misconduct or behaviour to be a minor breach of regulations, or where other mitigating factors occur, a meeting with a senior member of staff will be arranged with the student within 5 days of the allegation. You will be notified in writing about the meeting (normally by email and by letter to your given address) and you will be required to attend. Your conduct will be discussed and where the allegation is upheld, you may be issued with a verbal warning and the outcome recorded; or the matter may be progressed to a hearing if further investigation or a more severe penalty is considered to be warranted. It will be made clear to you at the meeting that failure to adhere to the regulations may lead to more formal actions. A verbal warning report will stay on your file for 1 year, and may be referred to if any further concerns about your conduct arise.

Where a student fails to attend a Disciplinary Meeting without good reason, the verbal warning may be issued in the student's absence or the member of staff may refer the matter to a Disciplinary Hearing.

### **Disciplinary Hearing**

If any previous misconduct or inappropriate behaviour persists, or the misconduct is

alleged to be of a severe nature, you will be requested to attend a Disciplinary Hearing. You will be notified by letter of the date and time of the hearing within 5 days of the allegation being received, and this notification will specify both the nature of the allegation and any evidence to support it. The purpose of the Disciplinary Hearing is to discuss the alleged offence in the context of Spirit Studios' regulations and policies. The Hearing will be conducted by two members of senior management staff.

You will have the opportunity to respond to the allegation, and will be made aware of the expected standards of behaviour and the availability of support services. You may also invite a friend, family member, or member of the Students' Union to the meeting for support.

The outcome from this meeting may be one of the following:

- No grounds for concern are found and the case is dismissed
- Further investigation is deemed necessary and a date is provided for a second hearing. In this case, it is at Management's discretion to judge whether you can attend classes in this interim period, although suspending classes should only occur where there is a perceived threat to staff or other students, or property.
- The case against you is upheld and disciplinary measures are decided. In this case, the penalty may be agreed at the meeting and conveyed to you, or some time may be needed to discuss an appropriate penalty, in which case you will be asked to leave and await further written instruction. The penalty may be one or more of the following:
  - A request for an official apology, or a request to pay for costs/damages incurred
  - A commitment to engage with student support services to help with a behavioural issue, or to attend an educational programme to raise awareness of behavioural issues.
  - Formal written warning
  - A period of suspension from the school
  - Withdrawal from course and expulsion

Your attendance at the Disciplinary Hearing is expected, and if non-attendance is recorded without good reason, the evidence will be considered and a decision made in your absence.

Minutes will be recorded at the hearing and these will be made available to you afterwards, as well as being recorded on your file. The outcome from a Disciplinary Hearing will remain on your file while such records are maintained by Spirit Studios. The outcome of the hearing will be communicated to you within 5 working days of the meeting, along with details of the Appeals procedure.

Students should also be aware that while Spirit Studios will not voluntarily discuss disciplinary matters with third parties, requests for references for employers or other educational institutions may be impacted. Where such requests are made, and where Spirit Studios considers the disciplinary matter to be relevant to the reference request, we will inform the student about this disclosure.

## **Disciplinary Appeals Procedure**

A Disciplinary Appeals procedure is in place for all students who have been subject to disciplinary measures. You have the right to appeal against any disciplinary decision where one or more of the following criteria are met:

- The student disputes that the allegation was proven
- The student disputes the appropriateness of the penalty
- New evidence or new extenuating circumstances can be provided, which could not have been reasonably made known at the hearing
- The student disputes the fairness of the hearing or the disciplinary process where it has not been conducted in accordance with the terms published in this document.

An appeal should be submitted in writing within 10 working days of receipt of the outcomes from the Disciplinary Hearing. The Appeal will be considered in private by a Panel which will not consist of any members of staff who were present at the Disciplinary Hearing, or who are connected to the allegation in any way. You will not be expected to attend the Appeals panel meeting, but can specifically request to attend if so desired. The panel will examine the minutes of the Hearing, judge the appropriateness of the process and the outcome, and examine any new evidence provided.

The Appeals Panel will notify the student of the outcome in person at the end of the session if the student is in attendance, and by letter within 5 working days of the panel meeting.

If you consider the outcome from the Appeals procedure to be unsatisfactory, there are external bodies who can adjudicate. For degree students, you can request a review of the case by the OIA (Office of the Independent Adjudicator for Higher Education).

This Appeals procedure does not refer to academic appeals on assessment decisions, which follows a separate process.

# Disciplinary Procedure Flowchart

