

## Section 5C: The Principal's emergency powers

### 1. Introduction

1.1 The Principal, or their nominee (usually the Dean of Students), shall have the power to suspend or exclude a student from attendance at the School for good and urgent cause and as a temporary precautionary measure as outlined in [section 2](#) and [section 3](#) below and for a limited period.

1.2 We define "suspension" as a total prohibition on attendance at or access to the School and participation in School activities; but it may be subject to qualification, such as permission to attend for the purpose of an examination, or support from the Student Services department.

1.3 We define "exclusion" as selective restriction on attendance at or access to the School and selective prohibition on exercising the functions or duties of any office or committee membership in the School or the Students' Union, the exact details of which will be specified to you in writing.

1.4 Suspension or exclusion under this procedure will not be used as a sanction or penalty. The power to suspend or exclude under this provision is to protect the members of the School community in general or a particular member or members (and includes protecting the School's reputation), and the power shall be used only where it is urgent and necessary to take such action.

1.5 The Principal (or nominee) will make a decision to approve temporary suspension or exclusion subject to a risk assessment conducted alongside the relevant student support services (for example Safeguarding or Student Services) and pending a meeting either of the School Disciplinary Committee under the student code of conduct or the School level meeting under the support to train and study process.

1.6 Where we take such action, we will inform you and give you reasons. We will advise you in writing that such action is a precautionary measure and does not constitute a sanction or penalty.

1.7 Where we take such action, you have the right to appeal the decision in writing to the Dean of Students or their nominee within 14 calendar days of the decision being communicated to you.

1.8 You may appeal any decisions made under Principal's emergency powers only on the basis that the temporary precautionary measure to suspend or exclude you was not proportionated based on new material evidence or material irregularities in the process.

1.9 The Dean of Students or their nominee will investigate any appeals regards decisions taken under the Principal's emergency powers and respond to you in writing within 14 calendar days from submission of your appeal.

1.10. Suspension of access to facilities under the tuition fee policy is unaffected by this regulation.

## **2. Temporary precautionary measures in relation to the support to train and study procedures (section 5B)**

2.1. If we have good cause to believe that your actions:

- Represent an immediate and significant threat to your safety or those of others if you continue to engage with your studies or other related activities with us; **and**
- relate to your ability to train and study

then we may take temporary precautionary measures such as suspension or exclusion.

2.2. Any temporary precautionary suspension or exclusion will be subject to us conducting a risk assessment to determine that a high level of risk will require such an action. The Principal (or nominee) must give approval before we can implement a recommendation of suspension or exclusion.

2.3. If we suspend or exclude you for reasons relating to your ability to study as part of temporary precautionary measures, we will immediately refer your case for consideration by a School level meeting, in line with regulation 5B: Support to train and study.

2.4. If we suspend or exclude you for reasons relating to your ability to study as a temporary precautionary measure prior to convening the School level meeting, you have the right to appeal the decision in writing to the Dean of Students as outlined in section 1 above.

## **3. Temporary precautionary measures pending disciplinary investigation (section 5A)**

3.1. Where your conduct is considered to represent a potential immediate, serious and significant threat to your and/or others' personal safety or that of our premises, the officer responsible for the consideration of your case under the Student Code of Conduct and Disciplinary procedures may recommend temporary precautionary suspension or exclusion, subject to approval by the Principal (or nominee).

3.2. Some specific examples of misconduct that could lead to temporary precautionary measures include, but are not limited to:

- If your behaviour or language is violent, indecent, disorderly, threatening or offensive whilst on our premises or online, whilst engaged in any School activity.
- If you take any action likely to cause injury or impair safety on our premises;
- If you intentionally or recklessly damage, deface or misappropriate our property or that of other members of our community or of other organisations

involved in the delivery or support of your programme, or in the provision of services relating to your registration with us;

- If you misuse or use without authorisation our premises or property, including computer misuse;
- If your conduct constitutes a criminal offence where that conduct:
  - took place on our premises or online, and/or
  - affected or concerned other members of our community, and/or
  - damages our good name, and/or
  - itself constitutes misconduct within the terms of these regulations and/or
  - is an offence of dishonesty, where you hold a responsible office with us;
- If you are subject to a criminal charge or police investigation

3.3. The officer responsible for the disciplinary proceedings has the opportunity to recommend to the Principal temporary precautionary measures:

- based on a risk assessment conducted by the relevant student support services (for example Safeguarding or Student Services)
- pending a hearing under Stage 2 of the Student disciplinary procedure and code of conduct
- if this is felt to be necessary to protect the staff or students of the School.

3.4. The Principal (or nominee) will make a decision to approve temporary precautionary action based on the evidence available that shows a considerable level of risk to you, the wider School community or that of our premises.

3.5. If a decision is made to temporarily suspend or exclude you while you are subject to a criminal charge or police investigation, we may also pause the School's internal disciplinary proceedings pending the outcome of the police or court proceedings.

3.6. If we temporarily suspend or exclude you and there is no need to pause the School's internal disciplinary proceedings, a disciplinary hearing will be held as soon as practicable.

3.7. Where we take temporary precautionary measures, you will be informed in writing, and we will outline the reasons for the decision. You will be advised that any action under this regulation does not constitute a sanction or penalty.

3.8. Temporary precautionary measures will normally take place after the preliminary interview but may occur beforehand if necessary due to the level of risk involved. Where these are applied in advance of a preliminary interview, steps will be taken as soon as is practicable to offer you an opportunity to respond to the allegation.

3.9. Temporary precautionary measures will normally remain in place until your case has been heard by the School Disciplinary Panel, unless there is an overriding reason for any such action to be ended before you meet the panel members.

3.10. Where we suspend or exclude you pending disciplinary investigation, you have the right to appeal the decision in writing to the Dean of Students as outlined in [section 1](#) above.