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## EM Normandie UK Limited

### Student Disciplinary Procedure

<b>Location</b>	Oxford Campus, c/o Activate Learning, Jericho Building, Oxford OX1 1SA
<b>Monitoring</b>	The Principal and Head of Quality Assurance
<b>Overall responsibility</b>	Principal of EM Normandie UK
<b>Author</b>	Head of Quality Assurance
<b>Created</b>	April 2024
<b>Last review date</b>	August 2025
<b>Next review date</b>	April 2026 or as necessary

#### 1. Purpose

All members of the EM Normandie UK Limited (hereafter 'EMN', 'EMN UK', 'the school', 'we', 'us') community have the right to work and study in a welcoming, pleasant, tidy, operational and safe environment and it is the responsibility of each member of our community to help actively create and preserve these conditions.

In conjunction with this Student Disciplinary Procedure, please read the 'Student Code of Conduct' which sets out

- Expected levels of behaviour and conduct
- Examples of unacceptable behaviour and conduct
- Possible sanctions
- The reporting process of alleged student misconduct
- Our policies in cases where student misconduct could or does also constitute a criminal offence

Any breaches will be investigated and addressed in accordance with this procedure.

#### 2. Scope

- 2.1. This Disciplinary Procedure applies to all students who are studying at EM Normandie Oxford or who were studying at EM Normandie Oxford at the time of the alleged misconduct, regardless of whether they are enrolled directly with EM Normandie UK, or not.
- 2.2. EMN reserves the right to carry out and/or complete a disciplinary process if the student leaves the EM Normandie group whilst the process is ongoing.
- 2.3. If two or several students are involved in a case of alleged or suspected misconduct, EMN may take joint or separate action under this procedure.



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2.4. Unacceptable conduct may be dealt with under this procedure even if it occurs outside the physical boundaries of EM Normandie UK's premises, including electronically and/or via social media, where the conduct is related to the EMN community, the school's safe and orderly operations and/or its reputation.

2.5. Anonymous allegations of misconduct will not normally be considered unless there are good reasons to do so.

### **3. Disciplinary offences**

3.1. Any alleged or suspected breach of the 'Student Code of Conduct' may lead to a formal disciplinary process under this procedure.

### **4. Penalties**

4.1. EMN Normandie UK aims to act reasonably, fairly and swiftly with alleged or actual student misconduct. In doing so, we have to balance the interests of the school, members of the EMN UK community, the school's landlords and their students and staff as well as the wider community.

4.2. If an allegation of misconduct has been made and is being investigated, a student may be excluded from the campus until the investigation is completed if it is deemed that there is a risk of harm to the student, other students or members of staff. Any exclusion will be reviewed by the Principal in collaboration with the Student Life Officer on a regular basis.

4.3. At the outcome of a Disciplinary Procedure, possible sanctions against students who have been found to have breached the 'Student Code of Conduct' include, but are not limited to

- a written apology by the student to any aggrieved party
- compulsory attendance of one or several coaching sessions
- restrictions and/or conditions of attendance
- formal verbal warning
- written warning
- payment of compensation, or payment of replacements, repairs or rehabilitation of any damage or vandalism caused
- exclusion from the course
- permanent exclusion from the campus or all EM Normandie campuses worldwide.

Any such sanction will be logged in student's record for the duration of their enrolment with EM Normandie

4.4. The Principal or the Disciplinary Panel (as appropriate) shall have discretion in choosing the appropriate penalty for any disciplinary offence under this procedure.

4.5. Where EMN decides that this is reasonable and appropriate, more than one sanction may be applied.

4.6. The disciplinary action(s) taken will be proportionate and will take into account the individual circumstances of the misconduct.

- 4.7. Repeated or multiple breaches of the 'Student Code of Conduct' will be considered to be more serious than a single incident. In such cases, all breaches will be considered and may lead to more serious sanctions being applied.

## ***DISCIPLINARY PROCEEDINGS***

Allegations of misconduct made in good faith will be taken seriously and dealt with in accordance with this procedure.

The standard of proof which will apply to decisions taken as a result of a disciplinary hearing or appeal will be the standard of proof applied in civil cases in the UK. This means that it has to be shown that, on the balance of probabilities, it is more likely than not that relevant facts have occurred. The possible sanctions and outcomes are those described in this procedure and in the '*Student Code of Conduct*'.

In cases where the Principal is absent or declares a conflict of interest, the Board of Directors of EMN UK Limited will appoint a person and delegate to this person all of the Principal's duties outlined below in relation to disciplinary proceedings.

### **5. Informal resolution**

- 5.1. At the sole discretion of the Principal, an attempt may be made, where this is deemed to be appropriate, to resolve minor cases of alleged or suspected misconduct informally.
- 5.2. No incident which is directed at other individuals can be considered under this provision.
- 5.3. In some cases, an informal verbal warning may be given which will be kept on record for up to 12 months. A formal disciplinary may be instigated at any time during this period in cases of further misconduct of the same or of a different nature by the same person or persons, even if these new incidents could otherwise have been considered as 'minor'.

### **6. Formal disciplinary proceedings**

If the Principal decides that a suspected or alleged misconduct should be subject to formal disciplinary proceedings, the subsequent steps will be followed

#### **Stage 1 - Investigation**

- 6.1. The Principal will appoint a person to lead the investigation ('the investigator') on their behalf.
- 6.2. The investigation will start as soon as practical.
- 6.3. The Investigator will write to the student(s) setting out the details of the allegations of misconduct against them. An invitation will be issued to the student to discuss the matter. This may be part of the letter or it may be arranged by other means, e.g., e-mail, telephone, etc.
- 6.4. If the student(s) fail(s) to attend the scheduled meeting more than once without good reason, the investigation will proceed without further attempts to discuss the matter with the student(s).

***In such cases, student(s) must be aware that, in the absence of statements and/or evidence from them which could disprove or refute the allegation made against them, the investigation may conclude that these allegations have been shown to be true without the need to refer the matter to Stage 2 of the formal disciplinary proceedings.***

6.5. The Principal will decide at their discretion, applying reasonable common sense, as to what constitutes 'good reason'.

6.6. As part of the investigation, the Investigator, will also

- identify any witnesses
- discuss the matter with possible victims, witnesses and the person who has reported
- gather evidence, such as e-mails, texts, voice messages or other relevant information

In complex or sensitive cases, the Investigator, may seek assistance during meetings from a professional person with relevant skills and experiences.

6.7. Conclusion of the investigation

The Investigator will present their findings in writing as soon as possible. This will contain a summary of the evidence gathered by them during the investigation, relevant documents, written statements from victims and witnesses, and their decision whether

- (i) no further action should be taken , or
- (ii) the matter should be referred to Stage 2 of the formal disciplinary proceedings, or
- (iii) to refer the matter for decision by the Principal: if the student(s) accused of misconduct demonstrate(s) their unwillingness to cooperate with the enquiry, and in the absence of statements or evidence from the student, the matter may be decided by the Principal without the need for a disciplinary hearing to be held. The right to appeal the decision remains.

6.8. All parties will be informed of the decision in writing.

### **Stage 2 – Disciplinary hearing**

6.9. The disciplinary hearing will take place in front of a Disciplinary Panel which will consist of

- 1 senior member of the school's academic or management staff with no prior involvement in the matter, and
- 2 further members of the school's academic or management staff with no prior involvement in the matter,
- The Student Life Officer
- A note-taker (alternatively, a recording of the meeting may be agreed unanimously)

The members of the panel will choose a Chairperson before the start of the hearing.

- 6.10. The student(s) against whom the allegations are made will be invited to attend a disciplinary hearing, at least 5 days before the scheduled meeting to allow them to prepare. They will be given the date, time and location of the meeting. They will also be provided with copies of relevant documents.
- 6.11. The notice will set out the allegations made against the student(s) which will be considered during the hearing and the likely range of sanctions, if the allegations were found to be true.
- 6.12. The notice will contain
- a summary of evidence gathered during the investigation
  - copies of relevant documents
  - copies of relevant witness statements.
- 6.13. Any documents and/or written statements by the student(s) or others which the students(s) wish to be considered by the Disciplinary Panel must be communicated at least 24 hours before the start of the hearing.
- 6.14. At the sole discretion of the Chair, new evidence may be admitted during the hearing only if it could not have reasonably been disclosed at least 24 hours before the start of the meeting.
- 6.15. The student(s) may choose to be accompanied by a companion. The companion must be, either
- another student at EM Normandie UK, or
  - an EM Normandie student representative
- Other companions will only be allowed in exceptional circumstances at the discretion of the Principal and/or the Disciplinary Panel.
- Details of the companion(s) must be communicated at least 24 hours before the meeting.
- 6.16. The role of the companion or companions (in cases where several students are invited to attend the same hearing) at the meeting is to provide support and advice but they will not be allowed to answer questions or speak on behalf of the student(s).
- 6.17. Student(s) and their companion(s) must make every effort to attend the hearing as scheduled. Failure to attend without good reason may lead to the hearing taking place without the student(s). The Principal of the school will decide at their discretion, applying reasonable common sense, as to what constitutes 'good reason'.
- 6.18. If the student(s) or their companion(s) or a witness cannot attend the meeting which has been scheduled they must inform EM Normandie immediately and an alternative date and time will be arranged.
- 6.19. If no such information has been received from the student(s) and/or their companion(s) prior to the start of the hearing, the hearing will go ahead as scheduled.

- 6.20. A hearing may only be postponed twice at the instigation of either side except at the discretion of the Principal and/or the Disciplinary Panel in compelling circumstances.
- 6.21. The purpose of the disciplinary hearing is to discuss the evidence gathered and to provide the student(s) against whom allegations have been made with the opportunity to present their case .
- 6.22. At the opening of the hearing the Chairperson will outline the procedure that the Disciplinary Panel will follow:
- (i) The Investigator will present the case against the student(s), including witnesses and witness statements
  - (ii) the reporting person(s) may make their case, based on any evidence which has previously been disclosed
  - (iii) the responding student(s) may make their case, based on any evidence which has previously been disclosed
  - (iv) Panel members can ask questions
  - (v) The responding student may submit questions for the reporting student and/or witnesses via the chair
- 6.23. All parties may ask witnesses to attend the hearing.
- 6.24. The student(s) must inform the school at least 1 day prior to the hearing of any witnesses they have asked to attend.
- 6.25. Witnesses cannot be compelled to attend a hearing.
- 6.26. Following the hearing, the Disciplinary Panel will consider all the evidence and decide whether the allegations against the student(s) have been proven. This is the case, if, in agreement with the standard of proof which is being applied, the Panel is satisfied that, on the balance of probabilities, it is more likely than not that the relevant facts have occurred.
- 6.27. The student(s) will be notified in writing as soon as possible of the outcome of the disciplinary hearing, the reasons for the decision and, where relevant, any sanctions which will apply.
- 6.28. The person who made the initial allegations and/or any possible victims will be notified separately and will be given the same information unless there are good reasons to keep some of the information confidential.

### Stage 3 – Appeal

- 6.29. Both the student(s) and any possible victims may appeal against the decision of the Disciplinary Panel, if one or several of the following conditions are met:

- A. there have been important irregularities by EM Normandie during the formal stages of the disciplinary procedure which have undermined the entire process and have prevented a fair and just procedure and outcome
  - B. the outcome of the disciplinary hearing is not reasonable in the sense that no reasonable person, acting reasonably, could have reached the disputed outcome decision under the known circumstances
  - C. significant and substantial new evidence has come to light which the student(s) or victim(s) could not have presented earlier for valid reasons. The Principal of the school will decide at their discretion, applying reasonable common sense, as to what constitutes a valid reason.
- 6.30. The person who wishes to appeal has to do so in writing within 5 working days of the receiving notification of the Disciplinary Panel's decision. The appeal has to set out clear arguments as to how one or several of the above conditions A, B and/or C have not been met.
- 6.31. The Principal will consider whether the request of an appeal can be permitted. They will notify their decision as soon as possible to the relevant person(s).
- 6.32. The Principal's decision not to allow an appeal is final and a 'Completion of Procedures' letter will be issued.
- 6.33. If the Principal finds that the appeal should be heard, they will refer the matter to the Appeals Panel which will consist of
- all members of the Board of Directors, and
  - one member of the Academic Board
  - if the Principal is part of the Board of Directors and/or the Academic Board, they will abstain from voting.
- 6.34. The Appeal Panel will consider the evidence which has led to the Disciplinary Panel's decision, or the Principal's decision under 6.7 and any new evidence submitted. They may contact any relevant person and/or ask them to attend a meeting.
- 6.35. At the end of this process, the Appeal Panel may
- confirm the initial decision and the sanction(s) applied
  - confirm the initial decision and apply different, or fewer or further sanctions
  - overturn the initial decision and any sanctions applied
  - come to a new decision and apply sanctions where appropriate
- 6.36. The decisions reached by the Appeal Panel will be final and conclude EM Normandie's internal Disciplinary Procedure.



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## **7. Conclusion of the disciplinary process**

After completion of the internal formal disciplinary process (either after Stage 2 or after an Appeal), the student(s) against whom allegations were made and possible victims will be issued with a 'Completion of Procedures' letter (COP) containing

7.1. a summary of the allegations the title of the regulations/procedures that were applied, a summary of the issues considered at the final stage of our internal procedures, the final decision taken and the reasons for this decision

7.2. EM Normandie UK Limited will maintain a written records of all complaints. This record will show whether the complaint was resolved informally or whether it proceeded to Stage 1, Stage 2 or to Appeals. All complaints will be recorded at each stage and correspondence will be kept on file.

EMN is a member of Office of the Independent Adjudicator for Higher Education (OIA). Once all stages of the school's internal Disciplinary Procedure have been exhausted, student(s) may be able to ask the OIA to review our handling of the matter and any decisions taken.

Information on the OIA and their processes can be found at

[www.oiahe.org.uk/students/how-to-complain-to-us](http://www.oiahe.org.uk/students/how-to-complain-to-us)

The letter will also explain how student(s) can submit a complaint to the OIA. These have to be submitted within 12 months of the date

## **8. Deviations from this procedure**

Deviations from this Procedure will not invalidate any action taken against a student unless the integrity of the process is compromised. The person who is overseeing an investigation at different stages, usually the school's Principal, will decide when and how to deviate from this Procedure, and explain to the affected parties the reason for doing so.

## **9. Confidentiality and Data Protection**

9.1. The School will handle disciplinary cases in accordance with its own relevant confidentiality and data protection policies as well as the Data Protection Act 2018, the UK GDPR and The General Data Protection Regulation (GDPR) (2016/679).

9.2. Regarding information relating to any student over the age of 18, disciplinary matters shall be kept confidential and will only be shared with relevant members of EMN staff groupwide, and other persons in cases where the School assesses there is a need to inform them, where this is necessary in order to investigate and/or to determine an outcome of an alleged breach of discipline, in





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dealing with any complaint arising out of it and/or implementing any sanctions or measures following a decision.

- 9.3. Relevant members of EMN staff groupwide include, but are not limited to, members of the school's management team, the members of the UK Board of Directors and Academic Board, the Student Life Department; the Student Hub, Programmes' administration and the Personal Balance and Inclusion department in France. Persons may also be notified of the outcome of a Disciplinary Procedure on a need-to-know basis.
- 9.4. In the case of under-aged students, EMN will also inform the student's parents or guardian(s) of any allegations made and keep them informed until the student reaches the age of 18.
- 9.5. Information on the student's disciplinary misconduct offence and any penalty imposed will be included on the student's record.
- 9.6. The School may use anonymous data regarding the outcome of disciplinary cases internally for reporting, learning, training, and evaluating cases or externally with regulators in the higher education sector.
- 9.7. Personal data will not usually be shared with any third party unless EMN has express consent to do so. However, there may be instances where EMN may disclose confidential information to the police without consent if it considers that there is a risk of harm to a student, other members within the EMN Community or the general public, or to prevent a further incident that may constitute a criminal offence, from occurring.
- 9.8. Where it is appropriate to do so, EMN may also decide to disclose confidential information to regulatory bodies, professional bodies or other organisations, to civil and criminal court authorities or to the Office of the Independent Adjudicator (OIA).

## 10. Support for students

All students are encouraged to engage with the following services and take up any appropriate support available to them

### [EMN Normandie – Student Life Officer](#)

Students, including those under investigation and/or suspended, can contact the SLO at any time for support and advice on matters regarding both their studies and personal circumstances.

### [EM Normandie UK - Psychological student support](#)

Support and advice to any student experiencing personal difficulties, who may be struggling to cope at EM Normandie UK or who just needs someone to talk to.

The psychologist is present on campus for face-to-face sessions each week during term-time and can be contacted for emergency appointments via phone or Teams .

oliviaquetier@gmail.com or + 44 (0)7516839208

### [Oxfordshire Mind – Mental health charity](#)



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01865 247788 / [info@oxfordshiremind.org.uk](mailto:info@oxfordshiremind.org.uk)

Open Mo-Thurs 9.30 am to 4.30 pm, Fri 9.30 am to 4 pm, or  
The Mill, Oxford - Wellbeing Hub  
46 Cowley1HZ Road Oxford OX4

01865 263210 / [oxfordcity@oxfordshiremind.org.uk](mailto:oxfordcity@oxfordshiremind.org.uk)

### Oxfordshire Sexual Abuse & Rape Crisis Centre

Office phone (Call back system)

01865 725311 / [referrals@osarcc.org.uk](mailto:referrals@osarcc.org.uk)

You can get free support by contacting the 24/7 support line run by Rape Crisis England and Wales, which operates via phone on 0808 500 2222 and online chat via

<https://247sexualabusesupport.org.uk>

### Turning Point

Rectory Centre 27-29 Rectory Road, Oxford OX4 1BU ·

[01865 261690](tel:01865261690) / [www.turning-point.co.uk](http://www.turning-point.co.uk)

## Annex 1 - control table

Version	v1	Name	Role	Date
Created by :		Birgit	Muller	Feb 2024
Approved by :		Miriam Schmidkonz	Principal	
Version	v2			
Amended by :		Birgit	Muller	Aug 2024
		Changes psychologist and OIA		
Changes approved by :		Miriam Schmidkonz		
Version	V4			
Reviewed by :		Birgit	Muller	Aug 2025



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		Changes to 9.7 (addition of last sentence); minor changes to wording		
Approved by :		Miriam Schmidkonz	Principal	
Version				
Amended by :				
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