LINCOLN COLLEGE

STUDENT CONDUCT PROCEDURE

for

HIGHER EDUCATION

POLICY CQ/PR/17

SPONSOR

Head of Quality Improvement

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EQUALITY AND DIVERSITY STATEMENT

Lincoln College strives to treat all its members and visitors fairly and aims to eliminate unjustifiable discrimination on the grounds of gender, race, nationality, ethnic or national origin, political beliefs or practices, disability, marital status, family circumstances, sexual orientation, spent criminal convictions, age or any other inappropriate grounds.

STUDENT CONDUCT PROCEDURE

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LINCOLN COLLEGE

The Student Union and members of staff, including those in Student Services can help students in interpreting the following procedure to ensure full understanding.

STUDENT CONDUCT PROCEDURE

1 PURPOSE

The purpose of the procedure is to promote and maintain high standards of conduct in personal behaviour, attendance and progress amongst students and to ensure fair treatment for all students in relation to disciplinary action.

2 AIMS

2.1 The procedure aims to get students ready for the world of work and to realise what acceptable standards and code of conduct will be expected of them in a working environment.

2.2 The procedure aims to give a clear structure that supports staff and students in upholding high standards of student conduct.

2.3 Every effort will be made to avoid the use of conduct sanctions where alternatives are appropriate. However where support has been provided and not worked, the College can progress to make disciplinary sanctions.

2.4 The procedure applies to all students of Lincoln College.

3 GENERAL PRINCIPLES

3.1 The procedure has been approved by the Learning Standards Quality Committee.

3.2 The need to implement the conduct procedure should be a rare occurrence in the College and the formal procedure should not be used in circumstances where relatively minor problems can be resolved by informal communications with the individual(s) concerned.

3.3 There should be a clear distinction between the implementation of the formal procedure and routine intervention by a Director (or his/her nominee), following reports of unacceptable student conduct. It is acceptable for a Director (or his/her nominee) to remove a Student from the learning environment for reasons of safety (of that individual or others) or to allow for a 'cooling off' period. In both cases, the removal is temporary and the student will be instructed to return to college on the next working day unless the Serious Misconduct procedure is invoked. Employers and / or training providers should be notified accordingly.

Such removal will not necessarily constitute a suspension and the student concerned will not automatically become subject to the formal procedure although this option must be considered in these circumstances.

3.4 The conduct procedure relates to any conduct that is contrary to the maintenance of good order, discipline or safety within any areas of the College's business. It also relates to standards of work and absence.

3.5 Any allegation of unacceptable student conduct is to be dealt with as a matter of urgency, with no disciplinary action taken until the case has been fully investigated and all involved parties have been spoken to.

3.6 Written records are to be maintained at each stage of the proceedings.

3.7 Where a student is studying at the College via a training provider, or employer, then all copies of correspondence, originating from the College will be sent to the training provider or employer.

3.8 To ensure that students receive the most appropriate support and guidance, this conduct procedure should be used in conjunction with the college's:

Mental Health and Disability Policy
Safeguarding Policy and Procedures
Fitness to Practise Policy
Malpractice and Maladministration Policy

4 DEFINITIONS

4.1 Throughout this procedure the following terms are defined as:

4.1.1 Student

A student is considered by the College to be a person who has enrolled on a course or programme of study, irrespective of any defining characteristic (for example, age or length of study) and is registered as 'continuing' on ProSolution. This includes all higher apprentices.

4.1.2 Student Conduct Sanction:

Following investigation, a student may be issued with one of the following Student Conduct Sanctions:

Stage 1 – Informal notice to improve conduct
Stage 2 – Written notice to improve conduct
Stage 3 – Final Written notice to improve conduct
Stage 4 – Exclusion from the college.

4.1.3 Student Conduct Review Meeting

A student conduct meeting will consider issues of professional conduct, which may include the standard of student's work and their progress, personal behaviour and attendance. A Final Written notice to improve conduct is the ***maximum sanction*** which can result from the first Student conduct meeting.

Should a student be issued with a Student Conduct Sanction, the resulting GROWTH target(s) will be discussed and reviewed after an agreed and reasonable period of time at a Student Conduct Review Meeting.

The student should usually be given three working days' notice of the Student Conduct Review Meeting taking place or be at a time sooner if mutually agreed by both the student and relevant member of staff.

4.1.4 Strategic Safeguarding Panel

Cases of serious misconduct will be considered by the Strategic Safeguarding Panel.

4.1.5 Student Conduct Appeal Hearing

A Student Conduct Appeal Hearing will consider the outcomes of Disciplinary Meetings, Hearings or the Strategic Safeguarding Panel.

5 PROCEDURE FOR UNACCPETABLE PROFESSIONAL CONDUCT IN PERSONAL BEHAVIOUR, PROGRESS AND ATTENDANCE

5.1 Where a member of staff feels that a student's behaviour, progress or attendance is below the standard expected by the college, the member of staff should contact the student's personal tutors to discuss the matter and request the conduct procedure be instigated. Whilst usual updates regarding student conduct should be made by staff members to ProMonitor/Onefile, requests for conduct sanctions via the student's eILP are not appropriate and must be avoided.

Where a member of staff submits a request for a conduct sanction to be issued but the personal tutors, Learning/Training and Skills Lead, Head of Learning/Training and Skills or Director of Education and Training does not apply a sanction, the reasons for this will be communicated to the member of staff within 5 working days of the request.

5.2 Where relevant, Student Services should be included at each stage of the conduct process and the appropriate member of staff contacted as follows:

Student:	**Student Services Contact:**
has a EHCP	Sam Rees assessmentofficer@lincolncollegege.ac.uk
is a Looked After Child (LAC) / is a Care Leavers	Donna Stallard-Taylor safeguarding@lincolncollege.ac.uk
is 14-16 years old	
has a diagnosed Mental Health Condition	Frances Oxley assessmentofficer@lincolncollege.ac.uk

5.3 A Student Conduct Review Meeting will be held with the student to discuss the cause for concern. The student will be advised in writing of the nature of the conduct issues at least 3 working days before the meeting.

5.4 At any Student Conduct Review Meeting, the student will be given an opportunity to state his or her case and will have the right to be accompanied and represented by a fellow student of Lincoln College. Students with learning difficulties or disabilities should be advised of appropriate cross college support services and can be supported by these staff members during a conduct meeting. Failure of the student to attend the meeting will not delay or affect the discussion of the case.

5.5 In exceptional circumstances, if a student's work standard or their progress, personal behaviour or attendance is considered sufficiently unacceptable, the student can be issued with a Written or Final Written notice to improve conduct without an informal notice to improve.

Stage 1 – Informal notice to improve conduct

5.6 Prior to the issuing of a formal Student Conduct Sanction, a meeting must take place usually between the relevant personal tutor and the student to informally discuss their conduct to highlight how this could impact on their college progress and the likely impact in a professional work environment.

- The informal notice to improve discussion will be recorded on ProMonitor/Onefile by the Progression Coach. No written confirmation will be issued due to the informal nature of the notice to improve.

- As part of this discussion, key GROWTH targets will be provided and agreed by the student, which identify the reasons for the notice to improve conduct and identify exactly how the college would like the student to improve their conduct.

- If the student improves their conduct following the informal discussion, care should be taken to ensure they receive positive feedback and this is logged onto ProMonitor/Onefile.

- If the student's conduct does not improve in line with the expectations of their GROWTH targets, then it is appropriate to formally invite, in writing, the student to a Student Conduct Review Meeting with, usually, the relevant Learning/Training and Skills Lead. The student should be given three working days' notice of this meeting taking place or at a time mutually agreed by both the Student and relevant member of staff.

Stage 2 – Written Notice to Improve Conduct

5.7 If the Student Conduct Review Meeting finds that a student's standard of work or their progress, personal behaviour or attendance has not improved following an informal notice to improve, then the student will usually be issued with a Written Notice to Improve Conduct.

The Written Notice to Improve Conduct will:

- Be discussed with the student in person, usually, by the Learning/Training and Skills Lead at a Student Conduct Review Meeting, so they are clear on why they are being issued with the formal written notice to improve. A record will be placed on ProMonitor/Onefile. If the student chooses not to attend the Student Conduct Review Meeting, the meeting will go ahead without them being present.

- Be backed up by a letter in writing, recording the reason for the sanction, the improvement required (copy of GROWTH targets) and the time limit within which such improvement must be achieved. Advise that it is the second stage of the formal disciplinary procedure and that they have a right to appeal (see section 7).

- Be uploaded to the student's ProMonitor/Onefile record.

- Be removed from the student's ProMonitor/Onefile record after 12 months, subject to the student's standard of work, conduct and/or attendance meeting the GROWTH targets set by the Learning/Training and Skills Lead.

- If the student's conduct does not improve in line with the expectations of their GROWTH targets, then it is appropriate to formally invite, in writing, the student to a Student Conduct Review Meeting with, usually, the relevant Head of Learning/Training and Skills. The student should be given three

working days' notice of this meeting taking place or at a time mutually agreed by both the student and relevant member of staff.

Stage 3 - Final Written Notice to Improve Conduct

5.8 If, despite having been given a Written Notice to Improve Conduct sanction, the student's standard of work or their progress, personal behaviour or attendance remains unsatisfactory, the student will be issued with a Final Written Notice to Improve Conduct.

The Final Written Notice to Improve Conduct will:

- Be discussed with the student in person, usually, by the Head of Learning/Training and Skills at a Student Conduct Review Meeting, so they are clear on why they are being issued with the final written notice to improve. A record will be placed on ProMonitor/Onefile. If the student chooses not to attend the Student Conduct Review Meeting, the meeting will go ahead without them being present.

- Be backed up by a letter in writing, recording the reason for the sanction, the improvement required (copy of GROWTH targets) and the time limit within which such improvement must be achieved. Advise that it is the third stage of the formal conduct procedure and that they have a right to appeal (see section 7).

- Be placed on the student's ProMonitor/Onefile record.

- Be removed from the student's ProMonitor/Onefile record after 18 months, subject to the Student's standard of work, conduct and/or attendance meeting the GROWTH targets set by the Head of Learning/Training and Skills.

- If the student's conduct does not improve in line with the expectations of their GROWTH targets, then it is appropriate to formally invite, in writing, the student to a Student Conduct Review Meeting with, usually, the relevant Director of Education and Training. The student should be given three working days' notice of this meeting taking place or at a time mutually agreed by both the student and relevant member of staff.

Stage 4 – Exclusion

5.9 If, despite having been given a Final Written Notice to Improve Conduct sanction, the student's standard of work, personal behaviour, or attendance, remains unsatisfactory, the student will be issued with a Notice of Proposed Exclusion.

The NOTICE OF PROPOSED EXCLUSION will:

- Be discussed with the student in person, usually, by his or her Director of Education and Training at a Student Conduct Review Meeting, so they are clear on why they are being excluded from the college. If the student chooses not to attend the Student Conduct Review Meeting, the meeting will go ahead without them being present.

- Be confirmed in writing, will specify the reasons for the proposed exclusion and the date until which the proposed exclusion will be effective. Advise that it is the final stage of the formal conduct procedure and that they have a right to appeal (see section 7).

5.10 A flow chart for the procedure in dealing with unacceptable personal behaviour, professional conduct and attendance is provided as Appendix 1.

6 FORMAL PROCEDURE FOR SERIOUS MISCONDUCT

6.1 Any allegation of serious misconduct is to be immediately reported to the Director of School, or in their absence the Head of Student Services, who will make a judgement as to whether it meets the threshold for serious misconduct. If it does it will be passed to an Investigating Officer to enquire into the facts of the case as soon as is reasonably practicable. Guidance for the taking of statements is provided in appendix 5. The Investigating Officer will not subsequently be either wholly or partly responsible for determining the disciplinary sanction.

6.2 In cases of serious misconduct, the Director, Head of Student Services or their nominee, may suspend a student pending investigation. Suspension should be a neutral act and does not preclude guilt.

6.3 If the allegation involves a criminal offence (e.g. theft; assault; harassment, including racist or homophobic abuse; sexual assault) the Director will instruct the member of staff reporting the incident to advise the complainant of his or her right to contact the police.

6.4 The Investigating Officer will present initial findings back to the Director of School and they will decide whether this will be addressed through academic disciplinary sanction or passed to the Strategic Safeguarding Panel to review independently.

6.5 If it is decided that the case will be heard through Strategic Safeguarding. The Investigating Officer will contact safeguarding admin team to send out a letter to the Student advising them of the process.

6.6 The Strategic Safeguarding Panel will be chaired by the Head of Student Services or their nominee and be attended by the Investigating Officer who will set out the findings of the investigation including any explanation or account from the student subject to the investigation.

6.7 The Student can be supported by the College's Student Services team to provide the necessary evidence for consideration by the panel if required and can be accompanied by a parent or other suitable person at any meeting with the Investigating Officer.

6.8 The Strategic Safeguarding Panel will have the right to impose a period of suspension, issue a disciplinary sanction or exclude the student from the College. The decision of the Strategic Safeguarding Panel will be made in writing to the student within seven working days of the panel making a decision.

6.9 The student will have the right to appeal (section 7).

6.10 The following actions are examples which are normally regarded as serious misconduct:

- Assault on a student or member of staff
- Bringing illegal substances onto College premises
- Abusive behaviour
- Vandalism
- Photographing/videoing of staff, students and/or visitors to Lincoln College without their express permission
- Theft of college or personal property
- Behaviour which infringes the college Equality and Diversity Policy
- Behaviour that contravenes fundamental British values
- Continual refusal to carry out reasonable instructions or to comply with College rules
- Behaviour considered to be damaging to the College's reputation, occurring either on or off college premises

6.11 The above examples are not exhaustive or exclusive and offences of a similar nature will be dealt with under this procedure.

6.12 A flow chart of the serious misconduct procedure is provided as Appendix 2.

7 RIGHT TO APPEAL

7.1 A learner will have the right to appeal at each stage of the written sanctions and stage 4 exclusions. Appeals must be made to the Director of Performance and Planning in writing, stating the grounds for the appeal and be received within 10 working days of the sanction being

issued. A Student Conduct Appeal Hearing shall only be arranged where an exclusion has been issued (see appendix 3).

7.2 Appeals against exclusion decided by the Strategic Safeguarding Panel must be made in writing to the Managing Director for Education and Training Delivery stating the grounds for the appeal and received within 10 working days of the date of exclusion. A Student Conduct Appeal Hearing shall then be arranged (see appendix 3).

7.3 The support of Student Services can be made to a student wishing to make such an appeal.

7.4 Any appeal will be decided upon within 14 working days of the receipt of the appeal.

7.5 At appeal, the decision of the Director of Performance and Planning or the Managing Director of Education and Training will be final.

7.7 It should be accepted that the student or their representative will have had opportunity to put forward their account or mitigation through the conduct process either through a student conduct meeting or as part of a serious misconduct investigation.

If a student, or their representative, believes that this opportunity has not been provided or that they believe that the policy in relation to the conduct procedure has not been adhered to then this may form the basis for their appeal. An appeal can also be made if a student, or their representative, believes that there is new information or evidence which may have a bearing on the decision making process.

8 ADMINISTRATION

8.1 Stages 1-3 of the Student Conduct Procedure lie within the responsibility of the relevant academic area.

Correspondence related to student conduct meetings, notification of sanction etc. will be the responsibility of the administration for the academic area responsible for the Student involved.

The recording of the outcome of any student conduct meeting on ProMonitor/Onefile and elsewhere will be the responsibility of the administration area, or the academic member of staff dealing with the matter, in the relevant academic area for that Student.

8.2 Stage 4 of the Student Conduct Procedure can be initiated within the academic area or as part of the serious misconduct process.

Administrative matters related to stage 4 arising outside the serious misconduct process should be dealt with by the administration area for the academic area responsible for the student involved.

Matters related to serious misconduct will be dealt with by the administration area within Student Services other than the initial suspension of a student. The suspension of a student is normally a decision made the Director for the academic area of that student. The administration for that Director's academic area will be responsible for writing to the student and advising them of the suspension.

Any decision made by the Investigating Officer or the Strategic Safeguarding Panel will be advised to the student in writing by Student Services.

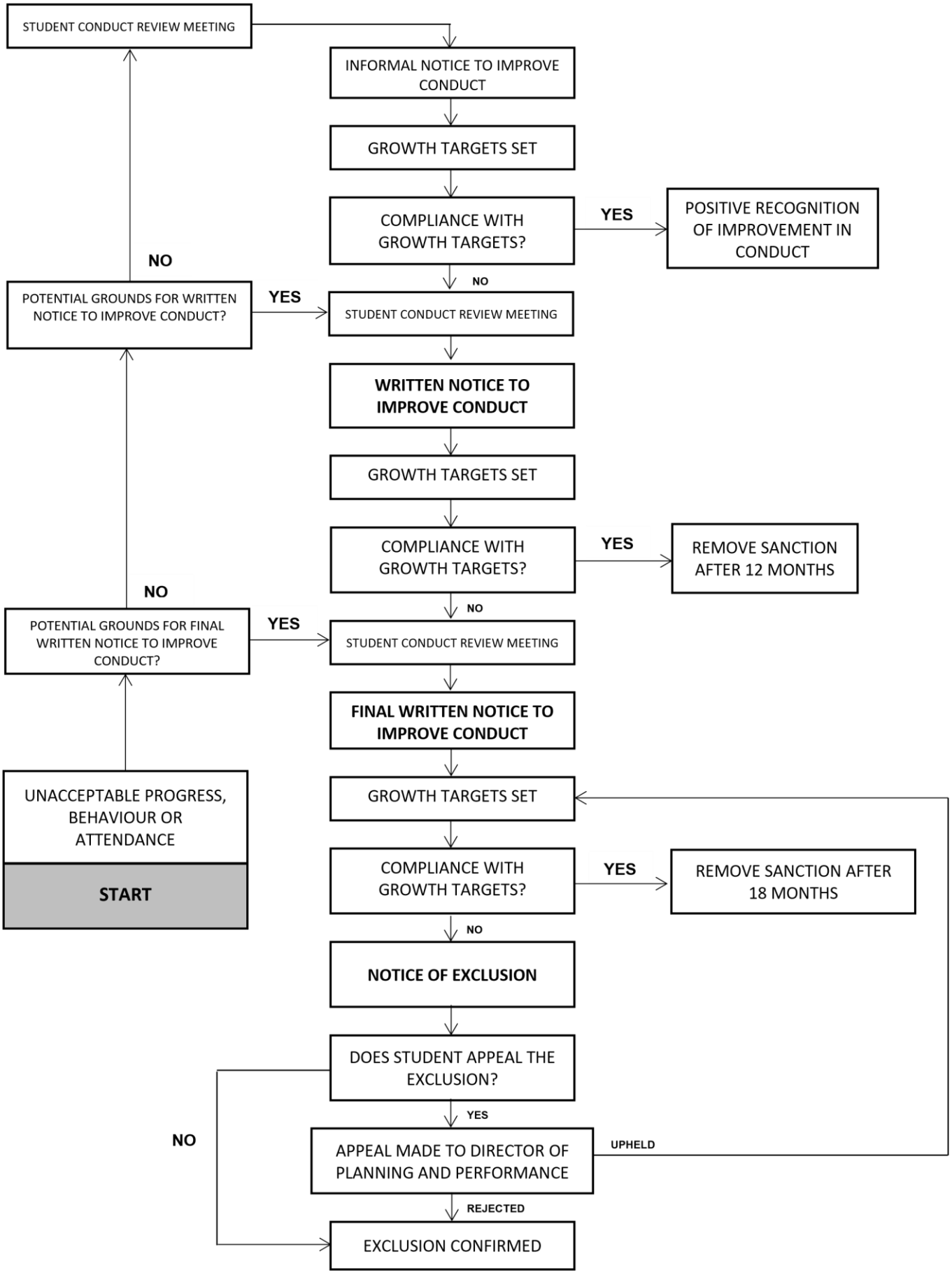
Student Services will update ProMonitor/Onefile with the outcome of any Strategic Safeguarding Panel meeting if relevant.

9 ANNUAL REVIEW OF THE STUDENT CONDUCT PROCEDURE

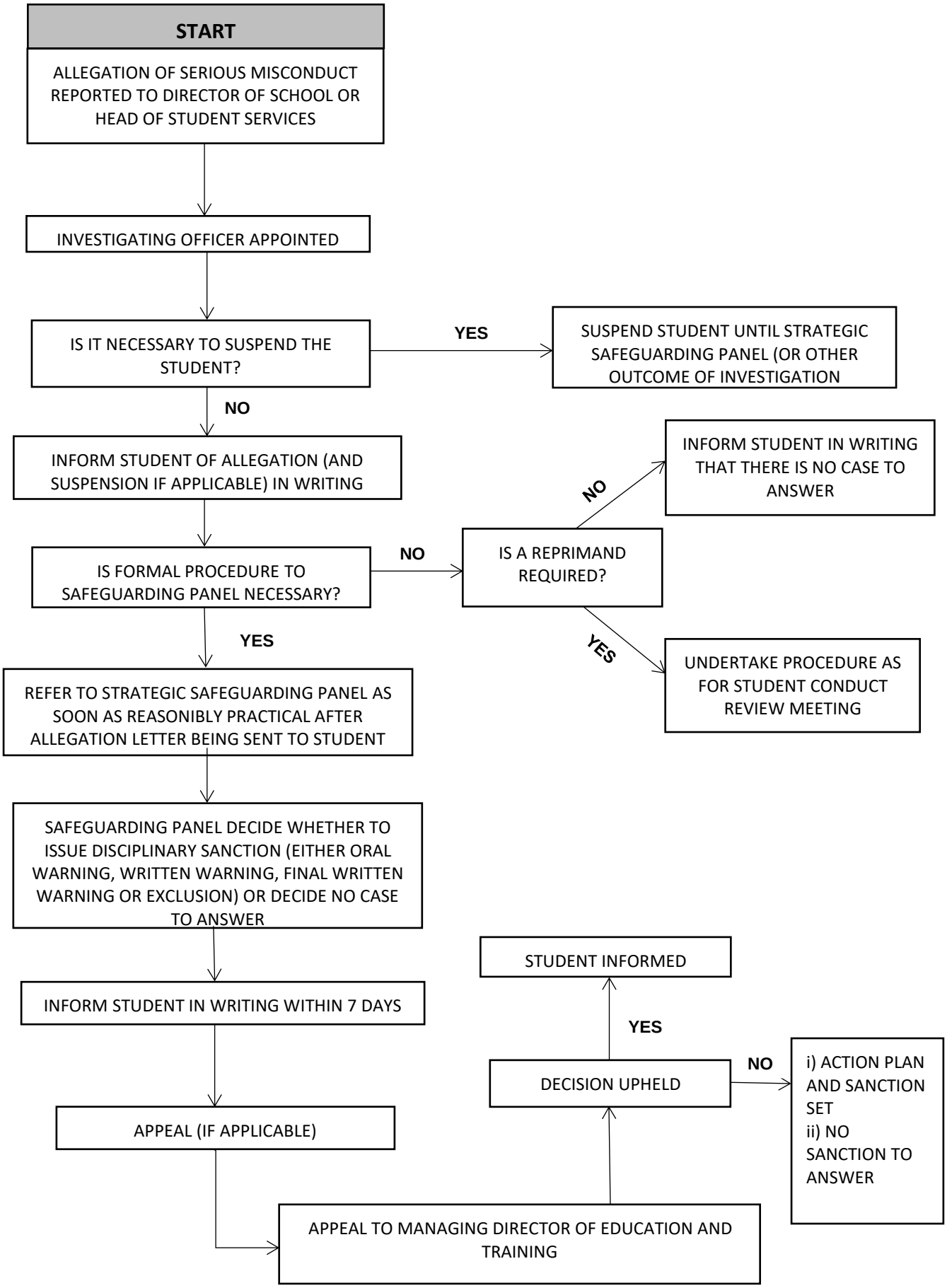
The Strategic Safeguarding Panel and the Learning Standards Quality Committee will review the Student Conduct Procedure on an annual basis and make recommendations for its development.

APPENDIX 1

PROCEDURE FOR UNACCPETABLE, PROFESSIONAL CONDUCT IN PERSONAL BEHAVIOUR, ATTENDANCE AND PROGRESS – FLOWCHART
(STUDENTS HAVE A RIGHT TO APPEAL AT EACH STAGE IN ACCORDANCE WITH SECTION 7)



SERIOUS MISCONDUCT - FLOWCHART **APPENDIX 2**



APPENDIX 3

PROCEDURE FOR STUDENT CONDUCT APPEAL HEARINGS

Following the receipt of a Student's appeal to a written conduct sanction or exclusion, a Student Conduct Appeal Hearing shall be arranged. The Student will be given 3 working days' notice of the hearing. If the Student chooses not to attend the Learning Conduct Appeal Hearing, the meeting will go ahead without them being present.

If the Student is under the age of 18 (or aged 16-24 with an EHCP, LAC or Care Leaver), they can be accompanied by a fellow Student or a parent/guardian or next of kin. If the Student is over the age of 18, they will be treated as an adult and can represent themselves at the disciplinary hearing or be supported by a fellow Student. It is not anticipated that a parent or guardian will be in attendance for students over the age of 18. If however a student over the age of 18 would like a parent/guardian or next of Kin to be present, with prior agreement this can be arranged on the understanding that they are there as an observer and supportive person, rather than a spokesperson for the Student. It is imperative that the Student is involved in this process and represents themselves wherever possible as this is what would be expected to happen in an employment environment.

Appeals will be heard by the Director of Performance and Planning. Where an exclusion has occurred as a result of the Strategic Safeguarding Panel, the Managing Director of Education and Training will hear the appeal, supported, as necessary, by specialist panel members.

ORDER OF HEARING

1. Director of Performance and Planning or Managing Director of Education and Training to clarify if notes will be taken at the meeting and to whom they shall be made available. It is standard practice for both sides to take their own notes.

2. The Director/Head of Learning/Training and Skills to give a short résumé of the Student.

3. The Student/representative to state their case and explain any special circumstances that may exist and the precise nature of the remedy sought.

4. The Student/representative to introduce any witnesses.

5. The Director/Head of Learning/Training and Skills to ask questions of the witnesses and Appellant as appropriate.

6. Director of Performance and Planning or Managing Director of Education and Training to question the witnesses.

7. Student's witnesses to withdraw.

8. The Director/Head of Learning/Training and Skills to state the management case with the assistance of relevant members of management.

9. The Director/Head of Learning/Training and Skills to introduce any witnesses to give evidence.

10. The Student/representative to ask questions of the witnesses and management representative as appropriate.

11. Director of Performance and Planning or Managing Director of Education and Training to question the witnesses.

12. The Director/Head of Learning/Training and Skills' witnesses to withdraw.

13. The Director/Head of Learning/Training and Skills summarise the College's case; no new factors to be introduced.

14. The Student/representative to summarise the appeal; no new factors to be introduced.

15. Director of Performance and Planning or Managing Director of Education and Training to review case and make decision.

16. The Head of Learning/Training and Skills / Director, Appellant and advisers to be recalled and informed of the decision by the Director of Performance and Planning or Managing Director of Education and Training.

GUIDANCE FOR THE RECORDING OF STATEMENTS

This guidance is intended to support college staff who may need to record a statement from Students as part of an ongoing investigation. It is to be noted however that the principles outlined in this guidance may be applied in any situation that information needs to be obtained by college staff from those involved in an incident. This guidance is not intended to be used in situations that are subject to investigation by Police and/or Social Care e.g. criminal offences committed on college site or child protection investigations.

It is the intention of this guidance to assist college staff in obtaining and recording an accurate and truthful account of incidents that potentially breach the colleges' disciplinary policy and that occur under the jurisdiction of the college.

All parties involved should be able to give their own accounts of what has allegedly happened and thus facilitate a measured and considered response from college staff responsible for ensuring discipline at college.

As part of a thorough investigation of incidents, and in consideration of all the evidence, it should be a necessity that the alleged perpetrator and any witnesses give their version of events.

Any physical evidence associated with an alleged incident should, if possible, be retained. If this is not practicable then photographs along with a signed witness statement would be acceptable.

As outlined above, Student and staff statements are expected to be used as an integral part of investigating incidents in college. Statements should ideally be of such a standard that they demonstrate the professionalism of the staff involved and as if they were to be used in any legal proceedings.

All written statements must be attributed, signed and dated.

TAKING STATEMENTS IN COLLEGE

It is vital that the perpetrator, victim and witnesses make their statements separately as it results in an objective investigation and the question of collusion is negated.

1. REFUSAL TO GIVE A STATEMENT

If the perpetrator refuses to give a statement then the college should document this and ensure that they have tried all means to obtain this information depending on the reason given for refusal. It is important for college staff to be able to make their decision in the full knowledge of any circumstances that the perpetrator may put forward in mitigation.

2. APPROPRIATE PERSON TO TAKE A STATEMENT

The member of staff taking the statement should always be neutral and not have been involved in the incident. It is also best practice that the statement taker and investigator of the case should not be a person involved in the ultimate decision making in relation to possible sanctions.

Students may, in some circumstances, only divulge information to persons with whom they feel at ease and in whom they can trust. The interviewer should have the skills to put the Student at their ease at the start of the interview. Consideration should be given to the environment in which a statement is taken.

Following these principles will ensure that fairness is seen to be done and no allegations of undue influence or pressure can be made by Students/parents.

Best practice would suggest that an appropriate adult is also made available to support Students particularly if they are distressed or vulnerable. This adult would be there to ensure good communication and the understanding of the process by the Student but not act as an advocate or interfere in the investigation.

In taking a statement from a Student, consideration should be given to their age, aptitude and ability in terms of the process and the appropriate format chosen e.g. supporting Students with special educational needs.

Consideration should be given to Students for whom English is not their first language – such pupils may express their case more accurately in their first language through an interpreter.

3. SETTING THE GROUND RULES - WITNESS

It is important that the staff member taking the statement outlines the ground rules to ensure the Student is aware of the procedure.

Witnesses should be informed of the time and place of the alleged incident but given no unnecessary details as their statement needs to reflect their recollection of what occurred.

Reassure the Student that the investigation will be fully investigated in a fair manner and outline that this is their opportunity to ensure that their voice is heard.

Outline that everyone involved with the incident will be asked to give a statement including the alleged perpetrator/victim and all witnesses (both Students and staff).

Outline how the statement is to be taken which should be in the form of a free account from the witness followed by clarification through questioning.

Outline that the Student can take as long as necessary for the statement. There are no time restraints of having to return to class etc.

Outline the importance for honesty and that this statement will be used as part of the investigation. It should be made clear to the Student that this is not a confidential experience and that the outcome may eventually be shared with others. If appropriate the Student should be assured that personal information will be treated with sensitivity and not disclosed to anyone unnecessarily. If during the statement taking process information is disclosed that raises a safeguarding concern then this should be referred to the appropriate agency.

The witness should be informed that their statement may be used as part of the investigation and may contribute to other investigations undertaken by college staff.

The witness should be allowed to correct or add anything to ensure accuracy. To conclude the process both of you will sign it to show that you both agree that it is a true record of what the Student has stated.

4. SETTING THE GROUND RULES - PERPETRATOR

The alleged perpetrator must be informed of the basis of the case against them and this should include a description of the alleged offending behaviour and the time and the place of the incident.

The above ground rules for taking statements from witnesses should also be outlined to the alleged perpetrator.

5. THE PRACTICALITIES OF STATEMENT TAKING

5.1 A statement should commence with identifying the witness and provide details of their status i.e. Student studying……, occupation, position held, relationships and so on, as appropriate.

5.2 The statement should be in the first person and speech should be direct i.e. The Student said “I hate the sight of you and I’ll smack you one if you speak to me again”

5.3 It is important that locations, damage to property and physical injuries etc. are fully described. If applicable, a person witnessing a physical injury, such as a lecturer or First Aider, can make a statement testifying as to the injury and its description as well as the victim.

5.4 Hearsay evidence refers to information that a witness has heard but does not have first-hand knowledge of. It may be useful in eventually establishing facts but must always be treated with caution. As a general rule it is not usually admissible as evidence but if in doubt it should be recorded as this can be redacted later.

5.5 The use of jargon or slang should be avoided unless it relates to reporting direct speech. An example would be the use of the term “abusive” language. In this case the direct speech should be used. It is important that the witness’s words or phrases are used.

5.6 SURNAMES and PLACE NAMES should be in block capitals.

5.7 Exhibits produced in a statement MUST be allocated a unique reference number (URN) and clearly identifiable. Each item referred to must have its own URN.

The URN will be made up of the exhibitors initials and a sequential number i.e. the third exhibit produced by Alexander Graham Bell would be identified as AGB/3.

The continuity of evidence is important and this should be reflected in witness statements.

A practical example of this could be where a Student hands a member of staff a small amount of cannabis they saw another Student drop. A statement would be recorded from this Student setting out the circumstances. The small amount of cannabis would be given an exhibit URN. (The Student's initials and a sequential number i.e. LCS/1).

The statement should record that fact that they passed this item to a member of staff.

The member of staff taking possession of the cannabis would record a statement setting out that they received the small amount of cannabis from the Student and refer to it within their statement as exhibit LCS/1. In turn they should indicate what has happened to that exhibit i.e. placed in secure cupboard within Student Services.

In the example above a person recording a statement should be mindful that neither they, nor the Student, can prove that the item is a "small amount of cannabis" and should describe that they believe it to be cannabis and not as a statement of fact.

6.8 Whenever identification is an issue (person, vehicle etc.) the content of the witness statement should address the issues outlined in R v TURNBULL. This was a stated case where the identity of a suspected burglar was called into question and the presiding judge gave directions in regards to the admissibility of identification evidence. These directions set out that consideration should be given to certain elements when identification was being made. These are set out in the pneumonic ADVOKATE

Amount of time observed – How long in view.
Distance – How far away.
Visibility – Clear unobstructed view, weather etc.
Observation impeded- Any obstacles in the way (tree, vehicles, buildings etc.)
Known or seen before or how often – Is the person known to the witness
Any special reason for remembering- Special identifying features
Time elapsed between observing and subsequent identification
Error – Discrepancy between description and actual appearance

6. ATTRIBUTING AND ANONIMISING STATEMENTS FOR USE IN EXCLUSIONS

If the college has a good reason for protecting the anonymity of a Student then the original statement should be available for decision makers to peruse to verify their integrity. In exclusion documentation a photocopy of the original statement may be used with the Students name deleted and supplemented with 'Student A', 'Student B' etc. as appropriate.

It is normal in the case of statements from Students that exclusion panels rely on these written statements.

An electronic copy of the statement template can be found at:

T:\Student Services\Public\Witness Statement Form.doc

Format for taking written statement

RESTRICTED (when complete)

WITNESS STATEMENT			
Statement of:			
Age if under 18:	(if over 18 insert 'over 18')	School and role / occupation:	
This statement (consisting of page(s) each signed by me) is true to the best of my knowledge and belief Signature: (witness) Date			

Signature:		Signature witnessed by:	

RESTRICTED (when complete)