



Guild of
Architectural
Ironmongers



Student Disciplinary Procedure

Email: Education@gai.org.uk
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Student Conduct Policy

It is the Guild of Architectural Ironmongers (GAI) policy to ensure that any disciplinary matter is dealt with fairly and that steps are taken to establish the facts and to give students the opportunity to respond before taking any formal action.

All steps taken under this policy by the Guild of Architectural Ironmongers will be carried out in accordance with the GAI principles relating to equality and academic freedom, and the principles of fairness, reasonableness, and natural justice.

The procedure applies to all students studying any of the GAI training courses shown in the GAI Prospectus at the time.

This procedure has been implemented following consultation with the GAI Education and Examination Committees.

This procedure does not form part of any students contract of employment, and it may be amended at any time by the GAI.

Amendments will be subject to consultation and negotiation with the GAI and the review and approval of the GAI Examination Committee. Minor amendments or those necessitated by a change in the law will not be subject to this process. This procedure, including any time limits, may be varied as appropriate and reasonable in any case.

This procedure will be reviewed annually with the GAI Education and Examination committees and the Guild of Architectural Ironmongers Executive Committee.

Disciplinary hearings

The GAI aims to deal with, and conduct matters sensitively and with due respect for the privacy of any individuals and their employer. All parties must treat as confidential any information communicated to them in connection with a matter which is subject to this procedure, subject to the need to seek appropriate advice and guidance.

It is not the GAI's normal procedure for meetings or hearings to be recorded by either party unless there are exceptional reasons why this should be considered. However, from time to time there may be a request to record a hearing. The decision to do so will be taken by the person chairing the meeting in consultation with the Executive Committee of the GAI and in advance of the meeting.

A recording may be made only where all parties agree to the use of recording. Minutes will be prepared of formal meetings and a copy of those minutes will be provided to the student attending the meeting.

The student will normally be told the names of any witnesses whose evidence is relevant to their disciplinary hearing, unless the person chairing the meeting exceptionally and reasonably believes that a witness's identity should remain confidential.

There should be no normal expectation that the identity of witnesses will be kept confidential, and witnesses should understand that evidence provided by them will, other than in exceptional circumstances, be provided to the student who is subject to disciplinary proceedings.

Informal Procedure

Minor conduct issues can often be resolved informally between the student and the Chairperson of the Education Committee. These discussions should be held in private and without undue delay whenever there is cause for concern and to enable the student.

To improve their conduct, the student will be given such guidance as is reasonable and appropriate about the steps which can be taken to ensure their conduct meets the expected standards.

A note of any informal discussions, including any guidance given, may be made.

Formal steps will be taken under this disciplinary procedure if the matter is not resolved, or if informal discussion is not appropriate (for example, because of the seriousness of the allegation).

Formal Procedure

The formal procedure described in the remainder of this procedure shall be invoked where the seriousness or persistence of the issue justifies action beyond that prescribed under the informal procedure.

Investigations can be commenced by the GAI Training Manager. The purpose of an investigation is for the GAI to establish a fair and balanced view of the facts relating to any disciplinary allegations against you, before deciding whether to proceed with a disciplinary hearing.

The amount of investigation required will depend on the nature of the allegations and will vary from case to case. It may involve interviewing and taking statements from the student and any witnesses, and/or reviewing relevant documents.

Investigative interviews are solely for the purpose of fact-finding and no decision on disciplinary action will be taken until after a disciplinary hearing has been held. The investigation interview will be attended by the Investigating Officer of the GAI and a representative of the Examination Committee.

The Investigating Officer may attend any subsequent disciplinary hearing to present his or her investigation or to answer questions on it. However, he or she will not decide the case against the student. The student does not normally have the right to bring a companion to an investigative interview, however reasonable requests will, where practicable, in most circumstances be agreed. If it helps the student to overcome any disability, or any difficulty in understanding English, or in other reasonable circumstances, the Investigating Officer may allow the student to bring a companion.

If the student wants to bring a companion to an investigation meeting, this must be raised with the GAI at the earliest opportunity, setting out the specific reasons.

All students and their employers must co-operate fully and promptly in any investigation. This will include providing the names of any relevant witnesses, disclosing any relevant documents, and attending investigative interviews if required.

In some circumstances it may be appropriate to suspend the student from the education programme. The decision to suspend will be made by the Chairperson of the Education Committee.

The suspension will be for no longer than is necessary to investigate the allegations and the arrangements for suspension will be confirmed to you in writing.

Suspension of this kind is not a disciplinary sanction and does not imply that any decision has already been made about the allegations.

Notification of a hearing

Following any investigation, if there are grounds for taking formal action, the student will be required to attend a disciplinary hearing. They will be informed in writing of the allegations against them, the basis for those allegations, and the potential outcomes of the hearing. The student will also receive:

- (a) a summary of relevant information gathered during the investigation.
- (b) a copy of any relevant documents which will be used at the disciplinary hearing; and
- (c) a copy of any relevant witness statements, except where a witness's identity is to be kept confidential, in which case they will be given as much information as possible whilst maintaining confidentiality.

The student will be given written notice of the date, time, and place of the disciplinary hearing and who will be attending it. The hearing will be held as soon as reasonably practicable. You will be given a reasonable amount of notice of the hearing, which will usually be no less than 10 working days.

The method of communications regarding hearings and outcomes will be agreed with the student. In the absence of agreement, the preferred method of communication will be by email to your education hub learner email account.

The student may bring a companion to any disciplinary hearing or appeal hearing under this procedure. Your companion may be either a trade union representative or a manager. The student must tell the GAI Chair conducting the hearing who their chosen companion is and their relationship to the student, in good time before the hearing, which will normally be five working days before the hearing.

In circumstances where dismissal from the relevant training course may be the sanction and, if proven, the allegations against the student would be likely to have a significant negative effect on their career, they may be accompanied by a legal representative.

They must tell the Chair of the Disciplinary Hearing/Panel that they consider this paragraph to apply to them at the earliest opportunity, in order that it may be considered and, if agreed, provide the details (name and relationship) of the chosen companion in good time before the hearing, which will normally be five working days before the hearing.

The Guild of Architectural Ironmongers may, at its discretion, allow the student to bring a companion who is not a colleague or union representative (for example, a member of family) if this will help overcome a disability, or if the student has difficulty understanding English.

During a hearing, the companion may make representations and ask questions but he or she cannot answer questions on the student's behalf. The student may talk privately with their companion at any time during the meeting.

Procedure at disciplinary hearings

The student must make every effort to attend the hearing, and failure to attend without good reason may be treated as misconduct.

If they fail to attend without good reason or are persistently unable to do so (for example for health reasons), the GAI may have to take a decision based on the available evidence. The student will be informed of this in writing.

If during the course of any other disciplinary meeting the Chair of the disciplinary hearing considers dismissal may be an appropriate sanction, or that there has been a *prima facie* breach of the Code of Professional Conduct he or she may refer the matter to the GAI Executive Committee.

The Chair of the disciplinary hearing/Panel may adjourn the disciplinary hearing if it is determined that any further investigation is appropriate, such as re-interviewing witnesses in the light of any new points raised at the hearing.

The student will be given a reasonable opportunity to consider any new information obtained before the hearing is reconvened.

The student will be informed in writing of the decision and the reasons for it, usually within 10 working days of the disciplinary hearing.

Each case will be assessed on its own merits. The student will not normally be dismissed from the training programme for a first act of misconduct, unless the GAI reasonably considers that it amounts to gross misconduct.

Examples of gross misconduct are set out in annex 1 below.

Any of the above stages of disciplinary action may be omitted, depending on the seriousness of the misconduct.

Appeals

If the student feels that disciplinary action taken against them is wrong or unjust, they should appeal in writing, stating the full grounds of appeal, to the Chief Executive of the Guild of Architectural Ironmongers within 10 working days of the date on which they were informed of the reasons for the decision. If they are appealing against dismissal from the training programme, the date on which dismissal takes effect will not be delayed pending the outcome of the appeal. However, if your appeal is successful, you will be reinstated.

The appeal hearing will be a review of the fairness of the original decision in the light of the procedure that was followed and any new information that may have come to light. It may at its discretion call witnesses.

The appeal hearing will be chaired by a different individual from the person who chaired the disciplinary hearing.

Annex 1

Examples of Gross misconduct

This annex sets out examples of conduct that the GAI considers may amount to gross misconduct.

All allegations of misconduct will be considered considering their seriousness and all the circumstances surrounding them.

As such, the examples listed below have the potential to amount to gross misconduct but may not, in the circumstances of the case, do so.

No example listed below will interfere with the principle of academic freedom as enshrined within the GAI Memorandum of Association [LINK](#). Examples of gross misconduct may include, but are not limited to:

- Theft, fraud or deliberate falsification of coursework and examination material (or other dishonesty)
- Unauthorised removal of, misuse, abuse, or deliberate and serious damage to GAI property, including intellectual property on the Guild of Architectural Ironmongers education hub.
- Conduct likely to give serious offence to other students.
- Bullying, unlawful harassment or discrimination on any grounds.
- Indecent, unacceptable abusive behaviour.
- Accepting or offering a bribe to any other person.
- Deliberate, reckless, or negligent disclosure of confidential information.
- Deliberately or negligently giving significant false or misleading information to the Guild of Architectural Ironmongers.
- Serious or repeated failure to comply with the Guild of Architectural Ironmongers rules, regulations, or policies or serious or repeated failure to follow reasonable instructions and deadlines.
- Serious disregard for rules or instructions given by the Guild of Architectural Ironmongers.