



Cause for Action Procedure

1. Introduction

In the context of this procedure and its related policies and procedures, a Cause for Action can be defined as actions or behaviours on the part of a Norland student, NQN, Norlander or Norland department/service provider, which have been observed and/or reported, that may breach the Code of Professional Responsibilities and/or have the potential to lead to a complaint, disciplinary action or fitness to practice or study concerns.

This procedure has been written to outline the steps to be taken when a Cause for Action is reported and/or observed. It aims to provide a framework by which facts can be established, informal resolutions can be sought and, if necessary, appropriate, evidence-based action can be taken.

2. POLICY

Where concerns are raised about a student, NQN, Norlander and/or Norland department/service provider that may lead to a complaint or where misconduct is suspected or where an issue exists that may affect, for example, a student's ability to study or go on placement, it will be deemed to be a Cause for Action. The concern may be raised by staff, student/s, clients, NQN families, members of the public or any other stakeholder. The recipient of the concern will complete a Cause for Action Notification form (see Annex A) outlining the concern, and send it to one of the following people, depending on the subject of the concern:

- Students: Quality and Regulations Officer (QRO), who will discuss appropriate actions with the Vice Principal (VP)
- NQN(s): Head of Careers and Consultancy (HCC)
- Norlander(s): Head of Careers and Consultancy (HCC)
- Any complaints/concerns about services provided by Norland: Head of HR, Resources and Compliance (HHRRC)

The QRO, HCC or HHRRC will alert the student, NQN, Norlander or Head of Department (HOD) to the concern and send them a copy of the Cause for Action Notification form. A secure folder will be created to store the Cause for Action Notification form and any relevant evidence and correspondence.

Where the facts of a Cause for Action are indisputable, and any previous Causes for Actions raised have not resulted in formal action, the VP, HCC or HHRRC may issue an informal or formal warning and/or other action without meeting with the party. An example of this would be poor attendance or failure to respond to communications where clear evidence is provided. In this case, the VP may authorise the QRO to act on their behalf.

Where the facts of a Cause for Action may be disputable, the VP, HCC or HHRRC will attempt to clarify facts in an objective way, by seeking further information regarding the case from the notifier and then speaking to the party concerned to ascertain their perspective on the cause of the concern and ensure they have a right of reply.



In cases where the notifier wishes to remain anonymous and does not wish to be involved in any process, the VP, HCC or HHRRC will decide on the merits of the case, without their evidence, whether further action should be taken. It is noted that anonymous evidence is deemed to carry less weight. Where more than one anonymous notifier raises the same or similar concern relating to different incidents or occasions, this evidence may carry more weight. However, the subject of the Cause for Action is entitled to answer any allegations against them and, if this is not possible without disclosing the identity of the notifier, it may be necessary to dismiss the Cause for Action.

The VP, HCC or HHRRC will always seek to resolve the matter informally if appropriate, by offering an informal resolution to the notifier of the concern and taking appropriate and proportionate action with the subject of the concern. If this does not resolve the matter, or it is deemed that a more formal response is required and/or the notifier wishes to escalate the matter to a formal complaint, the VP, HCC or HHRRC will refer the Cause for Action to the appropriate Complaints procedure policy as outlined.

Causes for Action may be referred by the VP, HCC or HHRRC directly to a Panel hearing under the Disciplinary, Fitness to Practise or Fitness to Study policy where:

- the allegations involve safeguarding concerns;
- the allegations involve bullying or harassment;
- the allegations involve sexual misconduct;
- it is alleged that a crime has been committed;
- the allegations have potentially serious consequences for Norland or may bring Norland into disrepute.

In these cases, an investigation is normally deemed necessary in order to ensure that facts of the case are fully understood. However, if the allegations are admitted by the student/NQN/Norlander and no further evidence is required, the VP, HCC or HHRRC will offer the option of foregoing the investigation and proceeding directly to a Panel hearing. This may be particularly appropriate if prolonging the process would cause unnecessary additional stress and/or upset to the student/NQN/Norlander.

In cases where a Cause for Action is raised about a current Norland student and relates to safeguarding issues, the student will not be permitted to use the JobShop or Marvellous Babysitting app until the matter has been resolved.

Having clarified the initial facts of the case, the VP, HCC or HHRRC, in consultation with the Principal or other relevant Senior Staff member, will identify under which policy the Cause for Action may be pursued and will decide upon one of the following options:

No further action – If the Cause for Action is not deemed to be of merit or it is found that the concerns are baseless, no further action will be taken and a record will be made of the concern for internal records only and for a period of one year. In making this decision, the VP, HCC or HHRRC may consult with other relevant staff. An example of this would be where two people give different accounts of a minor incident and it is not possible to corroborate either account through witnesses or other evidence. The internal record will be in the form of the Cause for Action Notification report. This report will make clear what decision has been taken and the rationale for the decision based on the Standard of Proof. No record will be kept in the student's/NQN's/Norlander's/HOD's file. If



appropriate, the VP, HCC or HHRRC will offer support to the student/s/ NQN/Norlander/HOD in order to resolve any outstanding difficulties.

However, should a similar Cause for Action be investigated again, the VP, HCC or HHRRC may take into account the previous record when deciding which option for next steps to pursue.

Informal or formal warning and/or other action – if the Cause for Action has sufficient evidence immediately available against the Standard of Proof to merit further action but is insufficiently serious to merit moving to a formal stage under the relevant policy, or if the student/NQN/Norlander/HOD acknowledges a minor concern but has strategies in place to address it, the VP, HCC or HHRRC, in consultation with relevant Senior Staff member/s will implement a support plan with a ‘Support Plan for Improvement’ or ‘Notice for Improvement’.

Decisions made regarding the merit of the concern and/or decisions made regarding the likelihood of sufficient evidence will be conducted in an objective and non-judgemental manner. A Support Plan for Improvement or Notice for Improvement will require the student/NQN/Norlander/member of staff to show demonstrable improvement in the area of concern over a suitable period of time. The VP/HCC/HHRRC will nominate a suitable person to work with the student/NQN/Norlander/HOD to create and monitor the plan. When complete, it will be signed off by the VP, HCC or HHRRC. The plan will be reviewed regularly and if unsatisfactory progress has been made, the VP, HCC or HHRRC will decide whether to extend the time period and/or amend the plan or refer this to an Investigation Officer to commence a Formal Investigation. The VP, HCC or HHRRC may also refer the matter directly to the Principal and recommend a hearing commence under the relevant policy.

An internal record will be kept on the Cause for Action Notification report for internal purposes only. This report will make clear what decision/s has/have been taken and the rationale for the decision/s based on the balance of probabilities. The plan will be put on the student’s/NQN’s/Norlander’s online record and marked as resolved once the VP, HCC or HHRRC is satisfied the student has met its conditions.

Formal investigation - if the Cause for Action is deemed to be of sufficient merit, is denied and/or an investigation is likely to uncover sufficient evidence one way or the other to meet the Standard of Proof, the process will move to a formal investigation (i.e. Stage 2 of the relevant policy). A formal investigation can be instigated where there are conflicting accounts given by the parties concerned or where the concern is of a more serious nature. The investigation will be conducted in a fair and impartial manner.

Referral to the relevant panel - if the Cause for Action is deemed to be of sufficient merit, is admitted, and prolonging the process is likely to negatively impact their mental health, the student/NQN/Norlander may opt to forego the investigation and move straight to Stage 3 of the relevant policy – the panel hearing. The consequences of this decision will be explained in writing to the student/NQN/Norlander and they will be asked to confirm in writing that they would like to take this step.

All Cause for Actions raised throughout the academic year are logged by the Quality and Regulations Office on a secure database, collated and reported anonymously to the Academic Board, SLT and/or the Board of Directors as required.



If the subject of a Cause for Action wishes to raise a counter complaint or Cause for Action, this matter will be dealt with as soon as the current Cause for Action proceedings are completed.

3. ROLES AND RESPONSIBILITIES

N/A

4. RELATED POLICIES, PROCEDURES AND GUIDANCE

This procedure forms Stage 1 of the following procedures:

1. Student Disciplinary procedure
2. NQN/Norlander disciplinary procedure
3. Fitness to Practise procedure
4. Fitness to Study procedure
5. External Stakeholders Complaints procedure

If there has previously been more than two Causes for Action raised about a student, NQN, Norlander, member of staff or department, the concern may be escalated to the relevant policy listed, without following this Cause for Action procedure.

In the circumstances outlined and if the facts about the causes for action are clear and not challenged by the student, NQN or Norlander, the case may proceed directly to a panel hearing under the relevant policy listed. In all other circumstances, the following procedures will apply.

5. ANNEXES

Annex A – Cause for Action Notification Form

| | |
|--|---|
| Date cause for action raised | |
| Name, status and contact details of Notifier | |
| Does the Notifier wish to remain anonymous? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| If yes, is there the potential of sufficient evidence to justify further action? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| Name, Set/Year If relevant and contact details of student/s concerned | |
| Brief outline of cause for action | |
| Does the action involve bullying, | <input type="checkbox"/> Yes |

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| harassment, criminal activity or behaviour likely to bring the College into disrepute? | <input type="checkbox"/> No If yes, proceed to Formal Disciplinary stage | |
| Checklist | Record created in secure folder | Date: |
| | Date student/s notified | Date: |
| Clarification meetings | | |
| Date of meeting/s with student/s | | |
| Details of previous Cause for Actions – date, brief outline of CfA and outcome <i>To be completed by Quality & Regulations Officer</i> | | |
| Details of Cause for Actions established | | |
| Date of initial decision by VP | | |
| Initial decision | No further action | <input type="checkbox"/> |
| | Informal resolution with an informal warning and/or other action | <input type="checkbox"/> |
| | Formal Resolution with a Formal Warning and/or other action | <input type="checkbox"/> |
| | Formal Investigation | <input type="checkbox"/> |
| Details of any action to be taken with rationale if no further action | <i>Include whether a misdemeanour has been admitted, the impact of the cause for action on others, the likelihood of sufficient evidence to meet the Standard of Proof, etc.</i> | |
| Informal resolution | | |
| Informal resolution Details of actions to be taken | Informal Warning | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| | Notice of Improvement | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| | Support Plan for Improvement | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| | If 'yes' to either an NFI or SPFI, please list objectives for the action plan | |



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| Name of person overseeing Notice for Improvement/Support Plan for Improvement | | | |
| Date of review of NFI/SPfi | | | |
| Other action to be taken (if not relevant, please indicate with N/A) | | | |
| | | | |
| Formal resolution Details of actions to be taken | Formal warning | <input type="checkbox"/> Yes | |
| | | <input type="checkbox"/> No | |
| | Notice for Improvement | <input type="checkbox"/> Yes | |
| | | <input type="checkbox"/> No | |
| | Support Plan for Improvement | <input type="checkbox"/> Yes | |
| | | <input type="checkbox"/> No | |
| | If 'yes' to either an NFI or SPfi, please list objectives for the action plan | | |
| Name of person overseeing Notice for Improvement/Support Plan for Improvement | | | |
| Date of review of NFI/SPfi | | | |
| Other action to be taken (if not relevant, please indicate with N/A) | | | |
| | | | |
| Formal Investigation | | | |
| Name of Investigating Officer appointed | | | |
| Date investigation instigated | | | |



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| Rationale for Formal Investigation | |
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| Document Control Information | |
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| Policy Title: | Cause for Action Procedure |
| Version number: | V.9.0/ME/11-03-24 |
| Owner: | Vice Principal, Head of Quality & Standards and Registrar |
| Approving Body: | Academic Board |
| Related Norland Documents: | Student Disciplinary procedure NQN/Norlander disciplinary procedure Fitness to Practise procedure Fitness to Study procedure External Stakeholders Complaints procedure |
| Date of approval: | 11 th March 2024 |
| Date of effect: | As above |
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| Date of next review: | March 2026 |