

Glossary

Academic Judgement: Academic means a judgement that is made about a matter where only the opinion of an academic expert will suffice.

Appeal: means a request by an individual student for the review of a decision made Ballet West in accordance with academic regulations.

Balance of Probabilities: means a standard of proof that results in a judgment being that, based on the evidence available, an event is more likely to have occurred than not. This standard of proof is lower than that of the criminal justice system's standard of proof, defined as 'beyond reasonable doubt'.

Burden of Proof: means the duty placed upon a party to prove or disprove a disputed fact.

Complaint: means a formal expression of dissatisfaction with a decision made by Ballet West or about how you have been treated.

Confidentiality: means information will be shared on a need-to-know basis only. For example, for the purposes of conducting an investigation, safeguarding others, or because Ballet West is legally required to do so.

Disadvantage: means that because of a decision or information made available, you have been placed in a less advantageous position.

Exclusion: means the prohibition on attendance at, or access to, any part of Ballet West and its facilities. Excluded students may not offer themselves for assessment and any completed assessments will not be considered by Examination Boards. This usually arises due to Tuition Fee debt.

Expulsion: means permanent exclusion from all premises, programmes, services and facilities of Ballet West and the termination of all mutual obligations except as regards any undischarged financial liabilities of the Student to Ballet West. This includes a decision by Ballet West not to enrol or re-enrol a student.

Friend: means a member of Ballet West community (i.e. a fellow student or member of staff. No person will be allowed to act as a friend where it can be demonstrated that they have the potential to gain personal advantage through their attendance (for example they are subject to the same or a related breach of Ballet West Rules). As the procedures described in this Handbook are not legal processes the 'Friend' may not be a solicitor or barrister or any other person purporting to act in a professional legal capacity.

Leave of Absence: means the temporary suspension of studies and all associated activities at Ballet West. This may be subject to qualification such as permission to attend for the purpose of examination, or other form of assessment.

Manifestly Unreasonable: means "perverse", that is, no reasonable person could have arrived at the decision made in light of the information available at the time and the regulations. "Manifestly" indicates that this should be immediately apparent. Disagreement with a decision does not make it unreasonable.

Materially Relevant: means of meaningful significance to the case being made, as opposed to information that is irrelevant or of such a minor nature it has no significant impact on the case being made.

Module: means units of learning that have specified learning outcomes and a specified volume of credit at one level only. Each module successfully completed at a level contributes to a number of credits as determined at the validation of the programme.

Natural Justice: Principles of Natural Justice

- (i) All allegations made against students or staff of Ballet West, or challenges of Ballet West decisions or actions, are accepted in good faith and taken seriously.
- (ii) When an allegation is investigated, the principles of natural justice will be applied, ensuring that all parties receive a fair hearing. These principles include, but are not limited to, the following:
 - a. The allegation shall be dealt with in an impartial and fair manner
 - b. No one shall be the judge in his or her own cause
 - c. If a Hearing is convened there shall be:
 - adequate prior notice of the Hearing
 - provision of the detail of the allegation and the response to both parties in advance of the Hearing
 - impartiality on the part of those hearing the allegation
 - provision for both parties to be able to fully articulate their views
 - provision for both parties to be informed of the outcome of the allegation and the reasons for any decision made
- (iii) If a student believes, and can evidence, that the principles of natural justice have not been applied when their case has been considered, this will be grounds for appeal or review.

Office of the Independent Adjudicator: Independent body which can adjudicate in disputes relating to Higher Education, after all internal processes have been exhausted without satisfaction www.oiahe.org.uk

Principal: means the Principal and Chief Executive of Ballet West, or his/her delegate.

Programme: means an approved course of study that provides a coherent learning experience leading to a qualification.

Programme Leader: means a person nominated to be responsible for managing a 'programme', or their nominee.

Programme Requirements: means the rules regarding the modules and assessments necessary for successful completion of a Degree Programme.

Procedural Irregularity: means circumstances in which approved processes have not been correctly followed.

Restriction: means selective exclusion from attendance at or access (including electronic access) to Ballet West, the exact details to be specified in writing. Restriction may include a prohibition on communicating in any way with individual members of Ballet West community.

Staff: means all persons employed in the service of Ballet West, whether salaried, freelance or unpaid.

Standard of Proof: means the strength of evidence required to demonstrate a case is proven, see also 'Balance of Probabilities'.

Student: means a person who is currently enrolled as a student of Ballet West on an academic programme of Ballet West, or was so enrolled at the time of the decision being appealed against or the incident(s) being complained about.

Suspension: means a total prohibition on attendance at or access (including electronic access) to Ballet West facilities and on any participation in Ballet West activities for a specified period, but it may be subject to qualification such as permission to attend for the purpose of an examination, or other form of assessment.

Upheld: means a judgment has been made that sufficient evidence exists and the necessary grounds have been met.

Working Day: means any day except a Saturday, Sunday or Scottish bank holiday.