

# **Student Disciplinary, Suspension and Resolution Procedures**

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<b>Document History</b>	
<b>Area</b>	Head of Studies
<b>Prepared by</b>	M Mealey
<b>Approved by</b>	Executive Team
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# STUDENT DISCIPLINARY AND SUSPENSION PROCEDURES

## 1. INTRODUCTION

- 1.1 The College expects all students to behave in a way that demonstrates high standards of personal and group discipline and respect for others, whilst creating a safe and supportive learning environment. The Learning Agreement, Student Code of Conduct and Student Handbook provide details of the College's expectations of students. A student who does not meet the required standards of behaviour is liable to disciplinary action, suspension or exclusion in sufficiently serious cases. By signing the Learning Agreement at enrolment students are agreeing to abide by the Student Code of Conduct and comply with College's rules, regulations and policies, including these procedures.
- 1.2 It is recognised that for minor breaches of conduct, less formal intervention procedures should be followed, whereby a member of staff discusses the matter with the student to resolve the issue. The college will recognise and consider any traumatic experiences which can weigh on student lives, looking to implement strategies to alleviate the impact of trauma on learning wherever appropriate. These instances will be recorded on ProMonitor as comments, and/or a Personal Tutor or Lecturer B warning and will have an outcome e.g.
- Referral to the Head of Studies team or Additional Learning Support
  - Setting of attendance or progress targets
  - Notification of concerns to the parents/guardians or carers
- These informal discussions are not the subject of this procedure document but for students who do not respond to informal discussions, interlinking of approaches, help and support, it should be noted that this could lead to formal disciplinary action*
- 1.3 These procedures are in place to help and encourage students to achieve and maintain acceptable standards of conduct and to ensure consistent and fair treatment in disciplinary action taken in response to allegations of unacceptable conduct or behaviour.
- 1.4 The College has the right to manage its reputation and acts carried out by students that may bring the College into disrepute will be reviewed and investigated through the disciplinary process.

## 2. SCOPE

- 2.1 These procedures apply to full time, part time students and apprentices when they are at the College, in the vicinity of the College or on a College organised trip, placement or event or when studying or attending a college event on-line. The procedures also apply when behaviour outside of College has a detrimental impact on others from the College e.g. Cyber bullying or negative interactions in online chatrooms forums
- 2.2 These procedures apply to Higher Education students who are also subject to the partner institution's procedures.

## 3. GENERAL PRINCIPLES

### 3.1

- No disciplinary action will be taken against a student until the circumstances have been investigated but a student may be suspended or asked not to attend whilst the investigation is carried out.
- A student will be advised of the reason for the disciplinary meeting.
- They will hear the evidence against him/her/them.
- They will be given opportunity to state their case.
- 16-18 year old students can be accompanied by a parent/guardian or carer at Stages 2 and 3 and relevant parties will be notified of these meetings in advance.
- Parents/guardians or carers will be informed of the outcome by telephone, e-mail or letter at Stages 1 and 2 and by telephone and letter at Stage 3. The outcome of a Stage 3 meeting will not be communicated at the meeting to allow time for discussion of the facts presented.
- Adult students (aged 19+) can be accompanied by a friend, relative or designated member of the support staff.
- If a student fails to attend a disciplinary meeting, the meeting may still take place and a decision made in their absence if all efforts to contact them have been exhausted.
- If the disciplinary process results in a warning about unacceptable behaviour, attendance or academic performance, then relevant support will be offered to help the student reach the required standards. The student will be expected to engage fully with the support offer.
- For 14-16 year old students on school links programmes or sampling days, any disciplinary action will be taken in conjunction with the relevant partner high school.
- Students with a recognised learning difficulty or disability will have this given consideration to during any disciplinary process;
  - At every stage of the disciplinary process, staff should be aware of the needs of students who may be disadvantaged by a formal and written process.
  - Staff must consider individual needs of such students and adapt the process with advice from the Additional Learning Support Team, so that everyone is treated fairly and equitably.
  - The Additional Learning Support Team should also be consulted when deciding a student's ability to understand the College Code of Conduct and Student Handbook and in ensuring all reasonable support measures have been put in place prior to the disciplinary process.
- All stages of the formal procedure will be recorded on ProMonitor. Each stage will be recorded as a meeting with a reason and clear targets will be recorded and dated for review. These will be visible to both staff and students
- The outcomes from stage 1 and stage 2 meetings will normally stay on a student's record for 1 year. They may be closed if a student meets the targets set as part of the process but will remain visible should the behaviour be repeated.
- Stage 3 meetings may stay on a student's record permanently and could impact the student's ability to progress or to re-join the College at any future point. Where a student is excluded then on re-application they will be advised to write a letter and/or send an e-mail to a Head of Studies or Head of HE and will

always be required to have an interview before they can access a place at the College.

- The Head of Studies will make termly reports about the numbers of students receiving Stage 1 - 3 meetings. This will be part of the quality process within the College.
- If a student wishes to meet an impartial adviser, they may meet with a Head of Studies or Student Liaison officer who is not involved in the disciplinary action or their department.

#### **4. FORMAL WARNING PROCEDURES**

4.1 Normally procedures will be followed in the order of the stages set out below. However, incidents of a serious nature may be brought into the procedure at any stage. The reasons for the warning, the targets set for improvement, and any time limits will be made available to the student and kept in the student's College records. Parents/guardians of students aged 16-18 will be informed of the warning. Other College procedures may supersede or be used in conjunction with the Disciplinary Procedure. If this occurs, the student will be informed about the procedure. The college fosters acknowledgement of trauma in relation to those disproportionately disciplined and therefore takes an evidence and trauma based approach.

#### **4.2 FORMAL WARNING PROCEDURES**

##### **4.3 Stage 1 – First Formal Meeting**

If a student's behaviour or academic performance does not meet the required standards, the student will normally be given a First Formal Warning. This could relate to a failure to fulfil a commitment to College by, for example, regular lateness, poor attendance, disruptive behaviour, failure to complete and submit work on time, or disrespectful behaviour towards staff or peers.

A first formal warning will normally be issued by the Deputy Head of Department or a nominated senior lecturer or deputy.

##### **4.4 Stage 2 – Second Formal Meeting**

If a student who has received a first formal warning fails to meet the set targets, repeats the issues for which they received the first formal warning or departs from the College's standards in other aspects of their behaviour or academic performance, they will normally be given a Second Formal Warning.

A second formal warning will normally be issued by a Head of Studies Manager, Head of Department (16-18 and Adult) or Higher Education or Professional Honours Programme Manager; in all cases the decision is to be discussed and agreed by both the corresponding Head of Studies and curriculum Manager.

##### **4.5 Stage 3 – Final Formal Meeting**

A Final Formal Warning is extremely serious and will normally be given if:

1. There is no significant improvement in behaviour or no achievement of the

targets set at the Second Formal Warning

OR

2. The student's actions are so serious – Gross Misconduct, for example – that the student is taken straight to the final stage without having to go through stages 1 and 2.

This will be a formal disciplinary meeting, normally with an Assistant Principal or Designated Manager or Higher Education Programme Manager (HE students only). The outcome of this meeting will not be given in the meeting to allow time to reflect and consider all the facts presented and a decision will be provided by telephone and in writing to the student plus parent/guardian if the student is under 18 and it is appropriate to do so.

Following a risk assessment, it may be deemed inappropriate for reasons of safeguarding or health & safety, for a suspended student to re-enter College in person. Under these circumstances an alternative method of communication that ensures an opportunity to respond will be provided for consideration at the meeting.

Students can be excluded by the panel as an outcome from a Final Formal Meeting

- 4.6 Examples of incidents that can lead to suspension or straight to a Final Formal Meeting may include, but are not limited to, the following:

- Being in possession of a weapon or an item which is or could be used as a weapon.
- Bullying including any form of communication, including by text, email, social media or via online platforms.
- Filming or photographing student or staff and using their image inappropriately
- Stalking or harassment
- threatening and/or intimidating behaviour, fighting or assault
- foul and abusive language used, verbal or other.
- being under the influence of alcohol, substances or drugs
- having alcohol or illegal substances, or traces of substances on or from their person
- use, distributing or sale of legal highs or illegal substances
- endangering the Health and Safety of others
- vaping outside of the designated smoking areas
- offensive abuse of I.T. or internet facilities
- offensive or sexual online behaviour
- discrimination of any kind, including racial, homophobic and disability
- cheating, plagiarism
- forgery and gambling
- being investigated or charged with a serious criminal offence whilst studying at College
- failure to disclose a serious offence
- Vandalism

## **5 PARENTS / GUARDIANS / CARERS**

- 5.1 The College reserves the right to restrict conversations with parents, guardians and carers until the scheduled meeting time and date. This is to ensure that events are investigated thoroughly and impartially before the meeting.
- 5.2 It is expected that parents/guardians and carers support the College to raise the expectations for and of the student, through positive engagement and support for the disciplinary process.

## **6. EXCLUSION**

- 6.1 Should the student continue to fail to meet the targets to comply with the conditions set or if there is any further incident, or the incident is deemed serious enough at the Stage 3 meeting, the student will not be given a further warning but will normally be permanently excluded from college. If an individual incident is deemed to be of a serious nature and the students actions are seen as Serious Misconduct or dangerous, then previous warnings are not required in order to exclude; following an investigation and suspension hearing. Exclusions will last for 12 months from the incident taking place other than by exception and are decided by a panel which will include a Vice Principal and Assistant Principal.

Where a student has been excluded and wishes to return in a different academic year they should write a letter and/or e-mail and send it to a Head of Studies or Head of HE and will always be required to have an interview before they can access a place at the College.

- 6.2 Students who are progressing within College and are subject to a 6 week contract, will proceed straight to a final stage 3 meeting or exclusion if they fail to meet the requirements outlined within the contract.

## **7. CONTACT WITH POLICE**

- 7.1 Where staff suspect a student of committing a criminal offence or being involved in criminal activity, the College reserve the right to report the matter to the police. The College will always comply with its lawful obligation to help investigate alleged criminal activity

## **8. SUSPENSION PROCEDURE**

- 8.1 In certain circumstances, the student may be required to leave the premises immediately. This will be authorised by the Head of Studies or a designated Head of Department, in liaison with a Senior Manager, who may involve a Site Supervisors or the police. The student is not allowed to enter College during the period of the suspension and any attempt to enter the College during this period will be regarded as a serious breach of discipline.
- 8.2 The parents of students aged 16-18 will normally be informed of the suspension and policy immediately or as soon as is practicable by telephone. A stage 2 or stage 3

formal disciplinary meeting will normally be arranged within 5 working days of the suspension. A student who is facing possible expulsion will normally be suspended until the formal stage 3 disciplinary meeting is held

## **9. THE APPEALS PROCEDURE**

### **9.1 Stage 1 and 2**

9.2 Students are unable to appeal against the outcome of Stage 1 and Stage 2 meetings.

### **9.3 Stage 3**

9.4 At Stage 3, students can make a formal appeal against a decision if they have information or evidence that they do not think was presented at the original Stage 3 meeting or if they feel that the college procedure has not been followed.

9.5 The student must write a letter detailing the reason for the appeal within 5 days of receiving the outcome of a Stage 3 meeting. This should be addressed to the Vice Principal for Curriculum.

9.6 The appeal will be reviewed by a nominated member of the Executive team.

9.7 Following an appeal being considered and concluded by a nominated member of the Executive team, the student will be notified in writing, with reasons, of the decision made on their appeal. This will normally be within 10 working days. This decision is final and there will be no further right of appeal within the College.

9.8 For Further Education students only – At the end of this process students will be informed of the right to appeal to the Education and Skills Funding Agency

9.9 For Higher Education Students Only – At the end of this process students will be informed of the right to appeal to the Office for Students within 12 months of the outcome.

## **10. OTHER ASSOCIATED POLICIES AND DOCUMENTS**

10.1 This procedure is also linked to the following policies, procedures and documents:

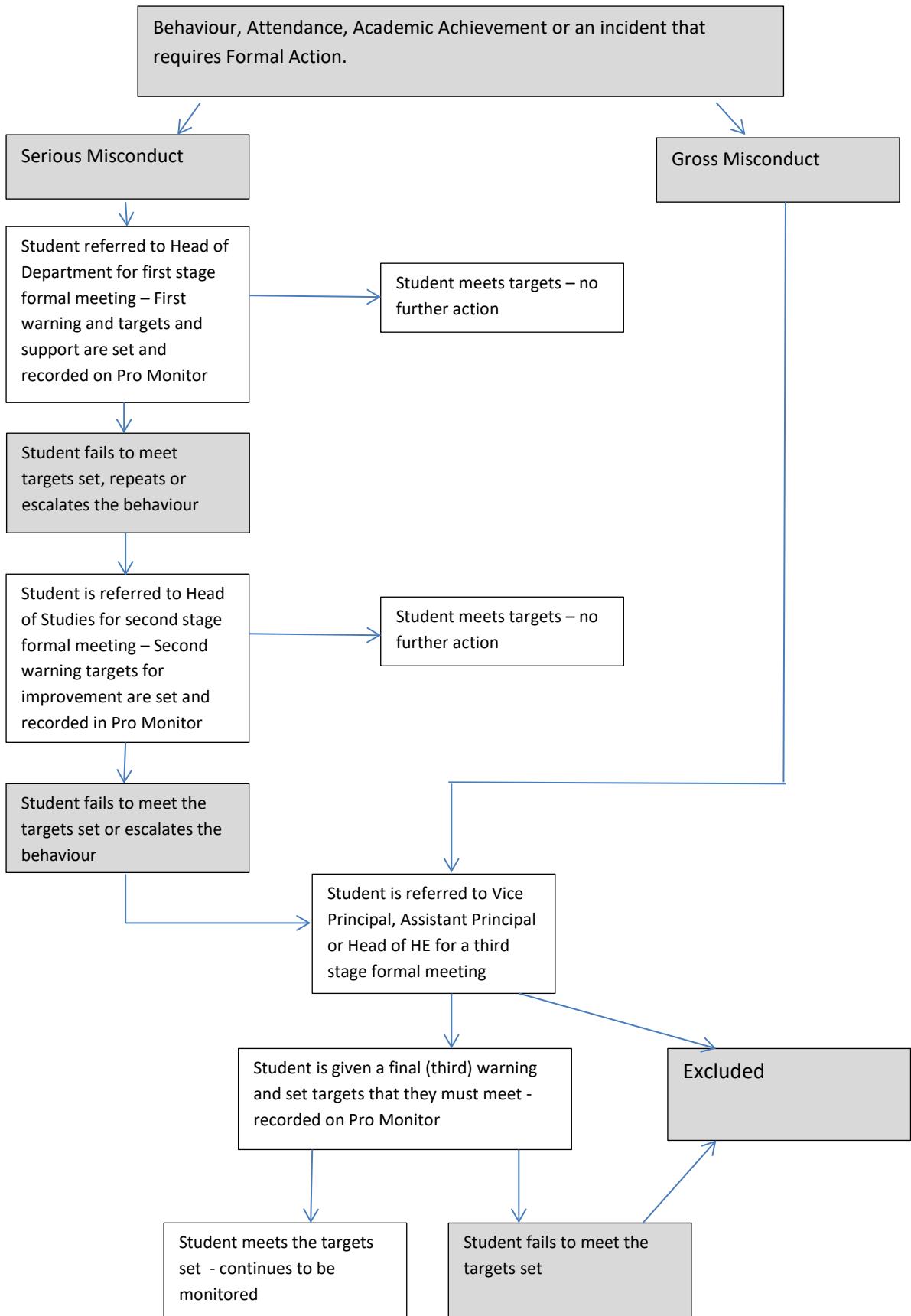
- The Learning Agreement
- The Student Handbook
- The Fitness to Study Procedure
- Keeping Children Safe in Education
- Safeguarding, Child Protection and Early Help Policy
- Safeguarding Vulnerable Adults Policy

- Equality and Diversity Policy
- The Student ICT Acceptable Use Policy
- Higher Education Academic Misconduct Procedure



# 11. APPENDICES

## 11.1 THE DISCIPLINARY PROCEDURE FLOWCHART



\* Alternative method of communication, where a meeting is deemed unsafe in person for reasons outlined in section 4.5