



Student Disciplinary Procedure

Policy Area:

Student Services

Policy Lead:

Vice Principal Student Engagement

Approved By:

Executive

Date of Approval:

11 September 2023

Contents

1. Definitions of behaviour/ misconduct	2
2. Investigation and directed non-attendance	3
3. Student disciplinary procedure stages.....	3
4. Informal Stage: Cause for Concern	4
5. Formal Stage 1: Verbal Warning	4
6. Formal Stage 2: Written Warning	5
7. Formal Stage 3: Final Written Warning.....	6
8. Formal Stage 4: Disciplinary Panel Hearing	8
9. Appeal	9
Appendix 1: Disciplinary procedure guidance notes	10
Appendix 2: Directed Non-Attendance Checklist	11

1. Definitions of behaviour/ misconduct

1.1. The following are examples of misconduct which may result in action being taken. These lists are not exhaustive or exclusive.

1.1.1. Academic misconduct

Minor academic misconduct may include the following:

- Lateness for lessons
- Arriving without necessary equipment/ materials
- Irregular attendance
- Not completing homework
- Missing deadlines
- Insufficient effort / poor attitude to work

1.1.2. Behavioural misconduct

Minor behavioural misconduct may include the following:

- Failure to follow the reasonable instructions of a member of staff (teaching and non-teaching)
- Smoking on any college campuses outside of the designated areas
- Noisy, offensive behaviour or the use of foul or inappropriate language
- Disrupting any class or any other college activity, whether involving staff and/or other students

1.1.3. Gross misconduct

The following are examples of gross misconduct; this list is not exhaustive:

- Bullying, harassment, intimidation, taunting, verbal abuse, defamation of character or the use of any violence or threat of violence towards any person
- Possession of an offensive weapon on site
- Being under the influence of or in possession of prohibited substances or alcohol
- Any illegal act which may have an adverse effect on the work of the college or on other students
- Endangering the health or safety of themselves or others by refusal to comply with reasonable health & safety measures (for example erratic and/or unsafe driving on the college premises or not wearing PPE when required)
- Misconduct in any formal examinations/ assessments that has impacted other students
- Deliberately or by gross negligence causing damage to any college buildings, equipment, books or furnishings or any property of others. This includes non-return of college library books or curriculum resources following three reminders.
- Theft of property
- Unauthorised access, use of, or interference with software or data belonging to or used by the college.
- Accessing pornography/ indecent images/ content on college computers
- Contravention of regulations regarding the receipt of Student Support Funds or any other grant monies
- Any misconduct which misuses cameras, mobile phone cameras or videos where consent to take pictures has not been obtained
- Cheating, plagiarism or copying work of other students
- Persistent repetition of minor academic or behavioural misconduct that has not improved with support and intervention

2. Investigation and directed non-attendance

- 2.1. The Assistant Principal (AP) in consultation with the Vice Principal Student Experience (VPSE) may direct a student to not attend college for a period of up to five college timetabled days pending an investigation, reserving the right to extend this period if necessary to manage the investigation appropriately and safeguard all parties involved. The relevant safeguarding manager must also be informed.
 - 2.1.1. Please see Appendix 1: Student Disciplinary Policy Guidance for further guidance on investigations.
- 2.2. Taking this precautionary measure will not be deemed a disciplinary measure, it will not imply guilt, nor will it prejudice the outcome of any investigation. It will simply provide time and space to carry out an investigation without putting any member of the college at risk.
- 2.3. The student (and parents/carers where relevant) must be informed of the period of directed non-attendance and the reasons for it. This must be recorded on ProMonitor.
- 2.4. If a student has a safeguarding concern, an EHCP or ALS requirement please ensure that the ALS manager and safeguarding manager are informed of any decisions being made.
- 2.5. A student who is directed not to attend should continue to complete work related to their programme at home so as not to fall behind with this, as agreed by curriculum team(s). This must be recorded on ProMonitor.
- 2.6. Please see Appendix 2: Directed Non-Attendance Checklist.

3. Student disciplinary procedure stages

- 3.1. The college will take a staged approach to disciplinary actions, supporting students to make better choices and learn from mistakes made. SMART targets to support behaviour change and referral to support services if required will form part of each stage.
- 3.2. In all cases of all minor misconducts, the procedure stages detailed here are designed to complement the normal processes for encouraging improvement, and the Student Disciplinary Procedure should only be invoked and progressed through if these processes have been exhausted or not proved possible.
- 3.3. All evidence required must be available on ProMonitor for review and recorded in 'Meetings and Comments'. All student disciplinary letters and witness statements etc. must be uploaded as appropriate.
- 3.4. Parents/guardians/carers must be aware of all stages of the disciplinary procedure, subsequent outcomes and actions including follow up reviews.
- 3.5. If the severity of the misconduct is deemed as gross misconduct, the Head of Curriculum and Assistant Principal can start the formal procedure at stage 4 to investigate the conduct and make an informed decision on the sanction to be invoked appropriately and safely.

4. Informal Stage: Cause for Concern

- 4.1. The relevant Study Programme Tutor (SPT) should be notified of a concern by another member of staff using a “Cause for Concern” student comment on ProMonitor, using data such as attendance; observation or conversation with a student or any staff member.
- 4.2. Wherever possible, the student should be informed that a “Cause for Concern” is being submitted.
- 4.3. As soon as the SPT or teacher completes a Cause for Concern or reads a Cause for Concern (C4C) they should:
 - 4.3.1. Establish potential reasons for behaviour or misconduct by meeting with witnesses, other appropriate staff member(s) or student(s), stakeholders such as work placement providers and the student who has had a C4C raised against them.
 - 4.3.2. The SPT or teacher must make a judgement on the action to take. Not all C4Cs will lead to formal action, however all must have agreed SMART targets set to improve which are recorded on ProMonitor. Multiple C4Cs i.e. attendance, punctuality, behaviour can be grouped together with specific SMART targets.
 - 4.3.3. Where a C4C has been submitted by another member of the college team, it would be expected that the SPT or teacher would work with this member of staff in their decision making with regards to the most appropriate action to take.
 - 4.3.4. The student’s Personal Development & Wellbeing tutor must be included in all communications and the student referred for early support.
 - 4.3.5. The parent/guardian/carer **must** be informed at the earliest opportunity to support improving behaviour and the communication recorded on ProMonitor.
- 4.4. **Informal Stage Review**
 - 4.4.1. A review meeting of the Informal Stage must be completed, and the outcome of the review meeting recorded on ProMonitor and confirmed in writing.
 - 4.4.2. If there has been no improvement, or a failure to successfully achieve the SMART target(s) by the agreed review date, or an additional C4C has been raised then the disciplinary should progress to the next appropriate stage.
 - 4.4.3. The parent/guardian/carer **must** be informed of the outcome and the communication recorded on ProMonitor.

5. Formal Stage 1: Verbal Warning

- 5.1. This stage begins as a result of no improvement or failure to meet the actions set at the informal stage OR as a result of a Formal Stage 4 Disciplinary Hearing.
 - 5.1.1. The student’s SPT or teacher should hold a meeting with the student and confirm the concern as soon as possible and in any case no later than five (5) working days after the identification of the cause(s) for concern and investigation.
 - 5.1.2. The student should be made aware of the implications of being put onto stage 1 of the Student Disciplinary Procedure and if appropriate, be made aware of the reason for the Student Support service referral being made.
 - 5.1.3. The meeting must be logged on ProMonitor and should include the completion of SMART targets (with review dates), outlining boundaries and behaviour with the agreement of the student.

- 5.1.4. The verbal warning and actions to be taken must be confirmed in writing.
- 5.1.5. The Formal Stage 1 letter should be generated by the nominated curriculum administrator under the direction of the SPT or teacher responsible, with the reason for the verbal warning recorded and the SMART target(s) set.
- 5.1.6. The SPT or teacher must keep a copy of the: witness statements/file notes/attendance records etc.
- 5.1.7. The curriculum administrator must put a copy of the letter in 'Uploaded Documents' on ProMonitor.
- 5.1.8. The Formal Stage 1 letter must be sent to:
 - 5.1.8.1. The student.
 - 5.1.8.2. The parent, carer or guardian (if the student is 18 or under on 31 August).
- 5.2. **Formal Stage 1 Review (actioned by SPT)**
 - 5.2.1. A review meeting of Formal Stage 1 must be completed, and the outcome of the review meeting recorded on ProMonitor and confirmed in writing.
 - 5.2.2. If there has been no improvement, or a failure to successfully achieve the SMART target(s) by the agreed review date, or an additional C4C has been raised then the disciplinary should progress to the next appropriate stage.
 - 5.2.3. The Formal Stage 1 review letter should be generated by the nominated curriculum administrator under the direction of the SPT or teacher responsible, with the reason for non-completion and confirmation of progression to the next stage.
 - 5.2.4. The SPT or teacher must keep a copy of the: witness statements/file notes/attendance records etc.
 - 5.2.5. The curriculum administrator must put a copy of the letter in 'Uploaded Documents' on ProMonitor.
 - 5.2.6. The Formal Stage 1 review letter must be sent to:
 - 5.2.6.1. The student.
 - 5.2.6.2. The parent, carer or guardian (if the student is 18 or under on 31 August).

6. Formal Stage 2: Written Warning

- 6.1. This stage begins as a result of no improvement or failure to meet the actions set at the Formal Stage 1 or as a result of a Formal Stage 4 Disciplinary Hearing.
 - 6.1.1. The SPT should lead a meeting with the student, SPT or teacher and parent/ guardian/ carer as soon as possible and in any case no later than five (5) working days after the identification of the cause(s) for concern and investigation.
 - 6.1.2. The student should be made aware of the implications of being put onto Stage 2 of the Student Disciplinary Procedure and if appropriate, be made aware of the reason for the Student Support service referral being made.
 - 6.1.3. The SPT or teacher must invite the parent, carer or guardian of a 16-18 student (a student who is 18 on 31 August will be treated as '18' for the whole of the academic year) to support the student at the meeting.

- 6.1.4. The nominated curriculum administrator will confirm the meeting using the Meeting Notification Letter and should put a copy of the letter in 'Uploaded Documents' on ProMonitor.
- 6.1.5. Once the meeting has taken place the SPT or teacher must complete the SMART target(s) set (with review dates) on ProMonitor, outlining boundaries and behaviour with the agreement of the student.
- 6.1.6. The Written Warning and actions to be taken must be confirmed in writing.
- 6.1.7. The Formal Stage 2 letter should be generated by the nominated curriculum administrator under the direction of the academic tutor/Head of Curriculum responsible, with the reason for the written warning recorded and the SMART target(s) set.
- 6.1.8. The curriculum administrator should put a copy of the letter in 'Uploaded Documents' on ProMonitor.
- 6.1.9. The Formal Stage 2 letter must be sent to:
 - 6.1.9.1. The student.
 - 6.1.9.2. The parent, carer or guardian (if the student is 18 or under on 31 August).
- 6.2. **Formal Stage 2: Review (actioned by SPT)**
 - 6.2.1. A review meeting of Formal Stage 2 must be completed, and the outcome of the review meeting recorded on ProMonitor and confirmed in writing.
 - 6.2.2. If there has been no improvement, or a failure to successfully achieve the SMART target(s) by the agreed review date, or an additional C4C has been raised then the disciplinary should progress to the next appropriate stage.
 - 6.2.3. The Formal Stage 2 review letter should be generated by the nominated curriculum administrator under the direction of the SPT or teacher responsible, with the reason for non-completion and confirmation of progression to the next stage.
 - 6.2.4. The SPT or teacher must keep a copy of the: witness statements/file notes/attendance records etc.
 - 6.2.5. The curriculum administrator must put a copy of the letter in 'Uploaded Documents' on ProMonitor.
 - 6.2.6. The Formal Stage 2 review letter must be sent to:
 - 6.2.6.1. The student.
 - 6.2.6.2. The parent, carer or guardian (if the student is 18 or under on 31 August).

7. Formal Stage 3: Final Written Warning

- 7.1. This stage begins as a result of no improvement or failure to meet the actions set at the Formal Stage 2 or as a result of a Formal Stage 4 Disciplinary Hearing.
 - 7.1.1. The HoC should lead a meeting with the student, SPT or teacher and parent/ guardian/ carer as soon as possible and in any case no later than five (5) working days after the identification of the cause(s) for concern and investigation.
 - 7.1.2. The student should be made aware of the implications of being put onto Stage 3 of the Student Disciplinary Procedure and if appropriate, be made aware of the reason for the Student Support service referral being made.

- 7.1.3. It is important to make the student aware that if there is no improvement following on from Stage 3: Final Written Warning, the next stage may result in the student being asked to leave the course.
- 7.1.4. The HoC must invite the parent, carer or guardian of a 16-18 student (a student who is 18 on 31 August will be treated as '18' for the whole of the academic year) to support the student at the meeting.
- 7.1.5. The nominated curriculum administrator will confirm the meeting using the Meeting Notification Letter and should put a copy of the letter in 'Uploaded Documents' on ProMonitor.
- 7.1.6. Once the meeting has taken place the SPT or teacher must complete the SMART target(s) set (with review dates) on ProMonitor, outlining boundaries and behaviour with the agreement of the student.
- 7.1.7. The Final Written Warning and actions to be taken must be confirmed in writing.
- 7.1.8. The Formal Stage 3 letter should be generated by the nominated curriculum administrator under the direction of the Head of Curriculum responsible, with the reason for the written warning recorded and the SMART target(s) set.
- 7.1.9. The curriculum administrator should put a copy of the letter in 'Uploaded Documents' on ProMonitor.
- 7.1.10. The Formal Stage 3 letter must be sent to:
 - 7.1.10.1. The student.
 - 7.1.10.2. The parent, carer or guardian (if the student is 18 or under on 31 August).
- 7.2. **Formal Stage 3 Review (actioned by HoC)**
 - 7.2.1. A review meeting of Formal Stage 3 must be completed, and the outcome of the review meeting recorded on ProMonitor and confirmed in writing.
 - 7.2.2. If there has been no improvement, or a failure to successfully achieve the SMART target(s) by the agreed review date, or an additional C4C has been raised then the disciplinary should progress to the next appropriate stage.
 - 7.2.3. The Formal Stage 3 review letter should be generated by the nominated curriculum administrator under the direction of the HoC, with the reason for non-completion and confirmation of progression to the next stage.
 - 7.2.4. The SPT or teacher must keep a copy of the witness statements/file notes/attendance records etc.
 - 7.2.5. The curriculum administrator must put a copy of the letter in 'Uploaded Documents' on ProMonitor.
 - 7.2.6. The Formal Stage 3 review letter must be sent to:
 - 7.2.6.1. The student.
 - 7.2.6.2. The parent, carer or guardian (if the student is 18 or under on 31 August).

8. Formal Stage 4: Disciplinary Panel Hearing

- 8.1. A student may start the disciplinary procedure at Formal Stage 4 if evidence in the first instance deems a student's behaviour to constitute gross misconduct OR if all other formal stages and reviews have been unsuccessful.
 - 8.1.1. If appropriate the AP in consultation with the Vice Principal Student Experience (VPSE) may direct a student to not attend College for a period of up to five college attendance/timetabled days pending an investigation.
 - 8.1.2. The student's parents/carers will receive a letter to confirm directed non-attendance.
 - 8.1.3. A copy of the notification of directed non-attendance letter must be sent to:
 - 8.1.3.1. The student.
 - 8.1.3.2. The parent, carer or guardian (if the student is 18 or under on 31 August).
 - 8.1.4. The curriculum administrator should put a copy of the letter in 'Uploaded Documents' on ProMonitor.
 - 8.1.5. The panel will be led by a member of the Senior Leadership Team (SLT), with minutes to be taken by a nominated administrator. The panel will consist of:
 - A Senior Leadership Team (SLT) representative
 - A College Management Team (CMT) representative
 - The Head of Curriculum
 - Student
 - Parent/ Guardian/ Carer
 - Student Advocate (if relevant)
 - Admin support
 - 8.1.6. Panel members should hold the meeting with the student as soon as possible and in any case no later than ten working days after the identification of the cause(s) for concern, directed non-attendance, and investigation.
 - 8.1.7. Exception note: If the student does not attend the meeting, the meeting and possible exclusion will take place in their absence.
 - 8.1.8. The case will be presented to the panel by the relevant Head of Curriculum who will take the panel through the allegations which led to the disciplinary.
 - 8.1.8.1. Normally, witness statements will be in writing and read out to the panel.
 - 8.1.8.2. Copies of reviewed SMART targets should be included where appropriate.
 - 8.1.8.3. The student will be given the opportunity to state their case and to question the evidence presented.
 - 8.1.9. The panel chairperson will end the meeting and ask the student, their advocate and any other support to step outside whilst the panel makes a decision. The panel could conclude:
 - Return to college, no action should be taken.
 - Return to college with a formal warning / SMART targets.
 - Ask for a further adjournment as further investigation is required.
 - Recommend exclusion.
 - 8.1.10. A member of the Executive team or a nominated senior leader will be required to review the Stage 4 Hearing case and evidence. Only a member of the Executive team or a nominated senior leader has the authority to exclude a student.

- 8.1.11. Once the panel has made its decision the student, their advocate and any other support will be asked to re-enter the room to hear the outcome. The chairperson will then bring the meeting to a close.
- 8.1.12. The student's parents/carers will receive the decision in writing within two (2) working days of the hearing.
- 8.1.13. A copy of the standard Outcome of Disciplinary Panel Hearing letter must be sent to:
 - 8.1.13.1. The student.
 - 8.1.13.2. The parent, carer or guardian (if the student is 18 or under on 31 August).

9. Appeal

- 9.1. The student will have the right to appeal to the Principal or their nominee within five working days of the decision to exclude the student. The conditions of the appeal are in the event of the procedures above not being met. An appeal will not re-hear the disciplinary case unless there is new evidence to be considered that was not available / produced at the original Disciplinary Panel Hearing.
- 9.2. The Principal or their nominee will arrange an appeal interview date within five working days. The student will be given at least five working days' notice of the time and place of the appeal interview and will be entitled to be accompanied by a friend, relative or carer.
- 9.3. Within five working days of the appeal interview being held, the final decision by the Principal or their nominee will be confirmed in writing to the student. There is no further appeal against this decision.

Appendix 1: Disciplinary procedure guidance notes

SMART targets (specific, measurable, achievable, realistic and time-related)

The setting of SMART targets is part of the Student Disciplinary Procedure. This will support the student and help them succeed and achieve their end goal. The objective is to set clear targets of how the student can improve and succeed. It is important that a date is set to formally review progress against targets set.

Consider which SMART targets you may wish to set prior to the meeting. You may add or remove SMART targets during the meeting. You can indicate which stage of the Student Disciplinary Procedure the student will be going onto at the meeting.

Investigation

An investigation may be conducted whilst the student is attending college or following a suspension. The person investigating the incident, usually the student's Study Programme Tutor, will gather evidence and pass this evidence to the student's Head of Curriculum. As part of the investigation the student will be given the opportunity to submit evidence (usually in writing) and may be required to attend an investigatory interview to provide their account of the incident/situation.

Paperwork

The following evidence can be used as part of student management meetings:

- SMART targets
- Standard letters
- Notes of meeting
- Witness statements
- C4C information and other file notes
- Support information including Additional Learning Support, Personal Development & Wellbeing Tutor interventions
- Student attendance (overall and for individual elements of the student's study programme)
- Investigating officer's report (where a student has been suspended)
- Previous relevant disciplinary interventions, including reviewed action plans

Appendix 2: Directed Non-Attendance Checklist

- ✓ Inform the student that they are being directed not to attend, to allow the college time to fully investigate the incident that has arisen. During this period, students are not allowed on any college premises. However, they are expected to keep up to date with all their work for all aspects of the study programme.
- ✓ If possible, collect the student's lanyard and forward to the curriculum area to be stored by the student's Study Programme Tutor.
- ✓ For students who are aged 18 or under on 31 August, ensure that a parent, carer or guardian is telephoned to advise them of the period of non-attendance and assess the impact of this on the student's welfare.
- ✓ Ensure that both ProMonitor and ProSolution are updated to reflect the student's suspension.
- ✓ Consider any other factors that may impact on the student's welfare in regard to the period of non-attendance.
- ✓ The Director of ALS (Additional Learning Support) should be notified if the student directed not to attend has an EHCP.