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## Scope

This is the Student Citizenship Code which applies to all students of the College based on or off the College site.

The revision of this Code also takes into account new legislation in respect of disability, gender and ethnicity, safeguarding, equality and community cohesion in that it strives to create a fair, harmonious environment.

The College has a zero-tolerance stance towards incidents involving bullying and harassment on grounds of disability, race, religion, gender, learning difficulty, sexual orientation or transgender issues.

This Code includes the ethos of the following College documents:

- Classroom Behaviour and Respect Code
- Disciplinary Code
- Equality, Diversity and Inclusion Policy

All students sign up to the above when they become students.

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## SECTION 1: POLICY INFORMATION

- 1.1 The College has a 4 stage disciplinary code which ALL students are introduced to during Induction and throughout their course.
- 1.2 The College has a particular process in place to assist students with identified learning difficulties which supports them but also prepares them for working within a framework of appropriate social interaction.
- 1.3 The College specifically supports students (16-18) who are carers, living in care, care leavers or who are living independently – however these students are also expected to adhere by the regulations of the College albeit with support from their tutor, Learner Services support Team or additional learning support.
- 1.4 We know our rules may be different to the rules at home – BUT it is important that students realise that the skills of citizenship eg learning to socialise with people, working in a team, having an open mind and awareness of equality issues, learning employability and study skills, are vital for the world of employment and further education or training.

## SECTION 2: GENERAL INFORMATION

### 2.1 INTRODUCTION

**This Policy outlines certain procedures which staff are duty bound to apply to ensure the safety of the premises, students and staff.**

- The College wants to ensure that students stay, achieve and progress. Our part in this is to ensure that we have support processes in place to help students and to actively engage with students to ensure that they maintain good citizenship standards.
- This code applies to all students of the College, whether full-time or part-time, community or employer based or international, whether or not their course is validated by, or associated with, any other Institution.
- We want this to be a respectful, thriving, happy environment and this means that we have the authority to ensure that standards are maintained to protect students and staff.
- Your part in this is to talk to us and to support the teams of staff who are here to ensure that you as a full or part time student or as a parent or guardian, of your son / daughter or ward, have the opportunity to discuss issues sensibly.
- The College is a community and as such we are responsible for security and safety of our students and to ensure that their behaviour does not pose a threat or disturbance to any member of staff or other students
- Harassment and bullying **will not be tolerated. Arguments, swearing and aggressive behaviour will not be tolerated – whether this comes from 14-19 students or adult students.**
- This Code gives flexibility to College staff to ensure that students have a balance of **knowing their responsibilities** as well as accessing support as required. At the same time, this Code allows for College staff to negotiate, where appropriate, support for students who have breached this Code, with due regard and support for victims.
- The College has a Classroom Behaviour and Respect Code –students agree to accept this.

## 2.2 UNACCEPTABLE BEHAVIOUR - MISCONDUCT

As a Student you are expected to follow rules and regulations within College as you would in social settings or in employment – failure to abide by any of the rules below will result in the start of the DISCIPLINARY PROCESS at the informal verbal warning stage or at any stage deemed appropriate dependant on the incident within the formal process.

### You should:

- Use College facilities and behave generally in a way which respects the needs and aspirations of others to learn, teach and live within the community of the College.
- Abide by the Classroom Management and Respect Code
- Not participate in any incident of “cyber” bullying or other unwanted behaviour in relation to social media, including use of or the uploading of College related material or information to websites, e.g. You Tube, Face Book, Twitter etc. Texting, mobile or electronic conversations etc which cause upset to students or staff, videoing or photographs without permission OR anything else which impinges on the personal space of students or staff.
- Not be under the influence of alcohol, drugs or other substances
- Attend classes on time and as timetabled. Poor attendance on any part of the study programme including work experience or English and Maths, may result in withdrawal from Sports Academy or any trips and enrichment activities at the discretion of the Head of School.
- Hand in assignments on time, unless you have a tutor approved extension date.
- Familiarise yourself with the College’s health and safety and other regulations and comply with those regulations and act at all times with due regard for their own safety and that of others.
- Respect the property of the College, and of its staff, other students and visitors.
- Ensure respectful dress at all times, including not wearing t-shirts with offensive slogans/pictures or swearing imprinted on them, or any dress exposing intimate sections of the body as this is not acceptable.
- Not drop litter, write on walls, swear in public or play fight anywhere in the College
- Follow the instructions of Security staff and any other staff member, who are there to protect the College campus. We are training you in citizenship and for employment and expect your behaviour to reflect this.
- Attend lectures (and other events at which you are scheduled to attend) as appropriate, regularly and punctually. This is why you are here – if you do not attend without good reason you may be withdrawn from the course.
- Wear Campus badges at all times as part of our overall Campus Security - – lanyards must be worn around the neck so the Campus badges can be seen at all times, unless there is an identified reason which has been confirmed by the Head of School and alternative arrangements have been agreed.
- Not to swear, shout or display confrontational behaviour against a member of staff or student, in any area of the College
- Not smoke in College buildings in any part of the College other than the designated smoking area.
- Not participate in cheating, plagiarism or copying of the work of other students including any collusion by two or more students to produce a piece of work to be submitted for assessment as the work of one student alone.
- Not deliberately or by gross negligence cause damage to any College buildings, equipment, books or furnishings or any property of others. This includes non-return of College library books following 2 reminders. Where the student is between ages of 16-18 years on a full time course, then the parents will be informed of the non-return of books.

- Not gain unauthorised access, use of, or interference with software or data belonging to or used by the College in line with the Learning Resource Centre's Code of Conduct for Internet Access.
- Not become involved in theft of property or any other dishonest acts.
- Not to display behaviour on trips, externally or on site, which could bring the College into disrepute, this includes the inappropriate use of social media.
- Not participate in any illegal act which may have an adverse effect on the work of the College or on other students.
- Not participate in any act which is in direct contravention of the College's policies or procedures on Equality and Diversity e.g. gender, disability, race, sexual orientation, age or religious belief or non-belief.

### **2.3 GROSS MISCONDUCT**

Any repeated or more severe cases of misconduct as outlined above may be treated as gross misconduct e.g. violence, damage to property, endangering health or safety of others, accessing inappropriate websites or material on College computers, possession of an offensive weapon on site, or any other criminal activities affecting the College or other students.

Other forms of gross misconduct may include continued bullying or intimidation, taunting, verbal abuse, defamation of character or the use of any violence or threat of violence towards any person (in line with the Equality and Diversity Statement and Cyber Bullying leaflet). Any behaviour which is racially or sexually offensive, or which is offensive to those with learning and/or physical disabilities or impediments will be viewed as gross misconduct.

### **2.4 COLLEGE GRANTS OR ANY OTHER FUNDS**

You will not receive funding if you are involved in:

- Repeated disciplinary matters
- unauthorised absence
- unauthorised lateness
- handing in assignments late
- suspension from College

This is at the discretion of the curriculum managers and the Head of Learner Services or Deputy Principal.

### **2.5 DISRUPTION IN CLASS**

Students and staff have the right to enjoy classroom sessions, if a member of the class is causing disruption, then this person will be verbally warned, however repeated incidents will involve the student being removed from the session and disciplinary action being taken.

### **2.6 SAFETY IN RESPECT OF SUSPECTED MISUSE OF DRUGS/ALCOHOL**

- Anyone who is suspected to be or appears to be under the influence of alcohol or drugs is likely to cause danger to themselves or others on College premises or on any external activity (i.e. field trips, visits, residential etc.) will be removed from the campus or activity.
- If you are suspected of being under the influence of drugs/alcohol you will be asked to see the Head on Duty and if required a First Aider who will complete a First Aid Form. If you are 14-18 your parent or school will be informed of the process. Parents, relatives or next of kin may be asked to take you home.
- Incidents of alleged possession or supply of any illegal drugs will mean that the disciplinary code will be put into action at Stage 4.

## **2.7 STUDENTS WITH DISABILITIES OR LEARNING DIFFICULTIES**

- Every effort will be made to ensure that a student with learning difficulties has a fair hearing at any disciplinary stage. The College will, in its deliberation, assess the risk for all College students in respect of behaviour patterns.
- Students with disabilities will be required to follow the College Code however we recognise that behaviour may be different on a day to day basis because of capacity to understand or to carry out instructions. It is also recognised that students with disabilities or learning difficulties may have other external organisations supporting them and these may be consulted at initial stages to ensure that appropriate support is available.
- In respect of any disciplinary process the student will be allowed to be accompanied at Stages 3 and 4 by a representative of an organisation which supports the student with his/her disability e.g. Social Worker, Key Worker, but not legal representative.
- It may be that a period of behavioural support is put in place or that your behaviour is assessed to see what we can do to support you.
- The use of a quiet area may be utilised in respect of students with learning difficulties to provide an area where the student can remain for a short period until the student is considered ready to re-join studies.

In addition there is provision for adults with learning difficulties to have mediation with external networks as appropriate, involvement of key workers, social care or other staff may also be required.

## **2.8 AREAS FOR SPECIAL CONSIDERATION**

- Students with learning difficulties may display inappropriate behaviour patterns. It may well be that their behaviour is determined by factors out of their control of the student i.e. medical or drug controlled behaviour. In this case, it may be that the student is reviewed by the Learning Support Manager, Head of School or Director before formal disciplinary processes are considered.
- Students who live independently, are in the looked after system, or who are carers at home will be treated sympathetically. Every effort will be made to retain the student in a learning situation, within the boundaries of appropriate College behaviour.
- Where an International student is allegedly involved in an incident, the Faculty staff and a Mentor if required will be involved in all meetings. Sympathetic consideration will be given to students who need to maintain their status for residency purposes (if necessary, an interpreter may be present).
- Students with diagnosed mental health issues who are involved in disciplinary incidents may be dealt with in accordance with the Code, but may also include the help and support of external agencies, Learning Support Manager or the College Support Team (CASA).
- In some circumstances support processes may be put in place to assist students with completion of their courses whilst providing them with a support network and alternative resources.

## **2.9 WORK-BASED LEARNERS**

- Work based learners are expected to comply with then College Citizenship Code and behaviour expectations. Employers will be informed of any relevant misdemeanour or inappropriate conduct that is being dealt with and monitored at College. Working on partnership with all employers the College aims to promote and advance all learners employability skills and mind-set.
- Employers where appropriate may be asked to attend Disciplinary meetings

## 2.10 OFF CAMPUS RE-ENGAGEMENT PROGRAMMES

- Students undertaking re-engagement programmes may display inappropriate behaviour due to their specific vulnerability and learning need.
- Every effort will be made to ensure that a re-engagement learner has a fair hearing at any disciplinary stage but will follow the appropriate boundary reinforcement for educational rehabilitation and progression.
- The learner on re-engagement programmes will be subject to an agreed boundaries and a behaviour support plan as needed. This is to be monitored and reviewed by the curriculum team at least every 6 weeks.
- Students in the disciplinary process will have their status “downgraded” if there is a significant improvement in behaviour and where applicable, successful engagement with restorative justice processes.

DISCIPLINARY STAGE	IMPROVEMENT TIME PERIOD	DOWNGRADE STAGE
<b>4</b>	8 WEEKS	3
<b>3</b>	6 WEEKS	2

- It is at the tutors discretion based on witnessed behaviour to remove a student from the session for a 1 day “cooling off” period. The students Quality Co-ordinator is to be informed immediately when this action is taken to review behaviour support plan.
- Section 2.6 applies to all re-engagement learners, students are to be sent home via taxi or parent/guardian collection if required at the discretion of the tutor. Campus HoD and reception for transport (if needed) are to be informed. Behaviour support plan is to be reviewed.
- At the discretion of the tutor, if they deem a student is at risk of harm to themselves or others, the police are to be contacted for immediate support and campus HoD is to be informed.
- Section 2.11 applies at the discretion of the tutor, campus HoD is to be contacted and the student returned to campus for a search if required. All other avenues of support and requests to declare items are to be investigated first. If the student displays aggression or if the tutor deems a student is at risk of harm to themselves or others the police are to be contacted.
- All stage 3 and 4 disciplinary hearings are to be held on campus.

## 2.11 SPORTS ACADEMY

As a member of the prestigious Sports Academy you have rights and responsibilities. You will be offered top class coaching, playing opportunities, free kit and equipment. Your responsibilities involve ensuring that you are a good student and role model to others. If you are involved in a disciplinary issue you may be suspended/withdrawn from the Academy, but this will be dependent on the nature of your transgression. For repeated lateness or attendance concerns on the main study programme, the academy can be withdrawn by the Head of School at any time. If stage 3 or 4 disciplinary action is taken for any reason, removal from Sports Academy is made by the Head of School or Director.

## 2.12 STOP AND SEARCH POLICY

In instances where it is suspected that a student is in possession of an offensive weapon or other items of concern e.g. substances, alcohol or alleged stolen property, then the Search Policy and

Search Form needs to be activated by the Head on Duty or other member of staff managing the provision or called to the scene. Copies of the Search Policy are available from the Learning Resource Centre, College Reception and Learner Services.

During the academic year Security carry out planned Stop and Search processes to demonstrate our commitment to safety for all our students. Police may be called for attendance in relation to offensive weapons or substances of concern.

### **2.13 USE OF THE LEARNER CENTRE PLUS**

Students who are having difficulty in class and possibly disrupting the work of others may be referred to the learner Centre for a 1 – 2 day period to work independently.

### **2.14 CRIMINAL OFFENCES**

- Where any member of staff has reason to believe that a student may have committed or may be intending to commit a criminal offence, the College Head on Duty may refer the matter to the police and may continue disciplinary proceedings under this procedure or suspend the student pending the outcome of police enquiries and any charges which may be brought against the student.
- Where the student has been suspended under this provision, when the results of those enquiries and any criminal proceedings are known, the College reserves the right to recommence proceedings under this procedure in relation to the matter.
- Any disciplinary action relating to alleged criminal offences will be based on the genuine belief of the member of staff taking the action after a proper investigation and will not require a criminal conviction. It is emphasised that in relation to the application of this procedure the College is not bound by the results of any criminal proceedings against students.
- Students who are known to be on bail following an external incident will be asked to complete a behaviour contract whilst proceedings are continuing. Students may be suspended at this point if the alleged offence compromises the College's safeguarding processes. However, if requested, students can be supplied with work to complete at home to avoid disruption to studies.

### **2.15 TIME PERIODS**

Time periods stated in this Code are for guidance and may be varied by the College if it is not practicable to adhere to them. Written notice of any such variation will be given.

### **2.16 STUDENTS UNDER 18/SPONSORED STUDENTS**

If a student under 18 years of age is the subject of proceedings under this Code, wherever practicable a parent or guardian will be invited to attend any disciplinary or appeal interviews (in addition to any friend, student representative or student key worker), unless in the view of the member of staff conducting the interview, such attendance would be prejudicial to a fair and effective interview.

If a student under the age of 18 is given a formal written warning or expelled or suspended from the College, a parent or guardian will be informed in writing whenever practicable.

If a student who is being sponsored at the College by an employer, training agency or a partner institution (i.e. University) is given a formal written warning or expelled or suspended the employer, partner institution or training agency will be informed whenever practicable.

### **2.17 14-16 STUDENTS**

Instances relating to the discipline of school pupils will be dealt with in accordance with School/College agreed processes. Where pupils have been subject to school disciplinary processes or special support processes, then the school should notify the Head of School for 14-16 students. In such cases the College will consider whether it is appropriate for the pupil to continue at College. Where the College is to take the lead, the process will be as follows:

In such cases the College will consider whether it is appropriate for the pupil to continue at College. Where the College is to take the lead, the process will be as follows:-

- Instances of misconduct will be recorded by tutors – and will be kept on file.
- Repeated instances of misconduct will be treated as a Stage 2 process and an official warning will be given to the pupil by the Course Team Leader. The school contact will be informed by the College’s Manager for Schools Liaison.
- Gross misconduct or further instances of misconduct will evoke Stage 3 of this procedure. The school contact and the parent will be informed by the Curriculum manager.
- Further instances of misconduct will evoke Stage 4 of this procedure. The school contact and the parent will be informed by the Curriculum Manager. The pupil may be suspended from College pending an investigation.
- The pupil/parent will have the right to appeal and/or pupil as outlined in this procedure.

In exceptional circumstances a tutor may register issues of concern to Learner Services via the “Cause for Concern” form. Appropriate liaison will be made by support staff to the Manager for Schools Liaison.

## **SECTION 3 - 4 STAGE DISCIPLINARY CODE**

All staff will be supported in carrying out this process to ensure a safe campus and a good learning environment. The stages may be skipped according to type of behaviour and repeated behaviour. Examples of behaviour action given are only examples – however ALL types of misbehaviour apply; severity of behaviour will be assessed on the basis of investigation and reported incidents at the discretion of the area manager.

If a student refuses to sign agreed behaviour support plan or contract then continued studying in the college environment will be at risk and a recommendation for exclusion may be made.

- \* All contracts should include a generic reference to uphold the Citizenship code
- Stage 4 disciplinary interviews will be managed by Head of School.
- Any recommendation or exclusion will be made to the Director of the academic Area.

**DISCIPLINARY CODE:**

**STAGES, ACTIONS, STAFF INVOLVED AND RECORDING OF INCIDENTS AND MEETINGS**

STAGE	EXAMPLE	STAFF INVOLVED	ACTIONS WHICH <u>MAY</u> BE TAKEN BY TUTOR	RECORDING INCIDENTS
<b>STAGE 1</b>  <b>VERBAL WARNING</b>	Following no more than 3 cases of seeing student regarding: <ul style="list-style-type: none"> <li>• Behaviour</li> <li>• Attendance (less than 95%)</li> <li>• lack of commitment</li> <li>• Lateness</li> <li>• disrespect to colleague or tutor by language, attitude, answering back etc.</li> </ul> <p><b>*Persistent low levels of attendance can jump straight to higher levels of action as required.</b></p>	Personal tutor, assessor and pastoral tutor where appropriate	<ul style="list-style-type: none"> <li>• Targets to be made with student</li> <li>• Cause for Concern to CASA if appropriate</li> <li>• Persistent low levels of attendance can jump straight to higher levels of action as required</li> </ul>	<ul style="list-style-type: none"> <li>• Verbal Warning form or pro-monitor</li> <li>• Curriculum Support Worker(CSW) to record and inform parent if appropriate (WBL (Work Based Learner) if &lt;18yr age)</li> <li>• CSW or assessor to enter details on Pro-monitor Disciplinary Database or student file for WBL</li> </ul>
<b>STAGE 2</b>  <b>WRITTEN WARNING</b>	<b>FAILURE TO ABIDE BY ANY STAGE 1 TARGETS WILL BRING STAGE 2 INTO PLAY</b>  Or behaviour deemed more severe or repeated minor misconduct can jump to Stage 2	Personal Tutor, assessor, WBL programme manager and pastoral tutor where appropriate	<ul style="list-style-type: none"> <li>• Stage 2 behaviour support Contract</li> <li>• Cause for Concern re behaviour issues</li> <li>• Behaviour Support Plan if needed</li> <li>• Restorative justice if appropriate</li> </ul>	<ul style="list-style-type: none"> <li>• Written warning</li> <li>• Letter and Stage 2 behaviour support contract to student and parent/guardian, carer or key worker if appropriate</li> <li>• CSW to enter details on Pro-monitor Disciplinary Database or student file for WBL</li> </ul>
<b>STAGE 3</b>  <b>DISCIPLINARY PANEL</b>	<b>FAILURE TO KEEP STAGE 2 TARGETS WILL BRING STAGE 3 INTO PLAY</b>  If the manager deems behaviour sufficiently severe, it can progress direct to stage 3.	Disciplinary Panel Including: <ul style="list-style-type: none"> <li>- Head of School (HoS)*</li> <li>- Business Sector Manager- WBL</li> <li>- CTL or Programme Manager</li> <li>- Personal Tutor or assessor</li> <li>- Curriculum Support Worker</li> </ul>	<ul style="list-style-type: none"> <li>• 3 day suspension by HoS if required</li> <li>• Stage 3 contract with targets</li> <li>• Behaviour Support Plan</li> <li>• Cause for Concern if required</li> <li>• Meet with Parents/Student</li> </ul>	<ul style="list-style-type: none"> <li>• Letter and copy of disciplinary contract to student</li> <li>• Copies to parent/guardian, carer or key worker (WBL = &lt;18yrs age)</li> <li>• CSW to enter details on Pro-monitor Disciplinary Database or student file for WBL (work based learner)</li> </ul>
<b>STAGE 4</b>  <b>DISCIPLINARY PANEL</b>  See section 3.2	<b>FAILURE TO KEEP ANY STAGE 3 TARGETS</b>  Student may be suspended pending an investigation and Disciplinary panel interview if deemed necessary	Disciplinary Panel: <ul style="list-style-type: none"> <li>- HoS</li> <li>- Business Sector Manager – WBL Programme Manager, assessor</li> <li>- Quality Co-ordinator</li> <li>- Curriculum Support Worker</li> </ul>	<ul style="list-style-type: none"> <li>• Student to complete work at home</li> <li>• Stage 4 contract and return to class or exclusion recommendation made to Deputy Principal</li> </ul>	<ul style="list-style-type: none"> <li>• Student worker informed in writing</li> <li>• Parent/guardian, carer or key worker informed in writing (WBL= &lt;18yrs)</li> <li>• CSW to enter details on Pro-monitor Disciplinary Database or student file for WBL</li> </ul>
<b>STAGE 4</b> <b>APPEAL</b>	Student may request an appeal against exclusion in writing	Deputy Principal	Appeal upheld and student returns with contract or exclusion confirmed by the Deputy Principal	<ul style="list-style-type: none"> <li>• CSW to enter details on Pro-monitor Disciplinary Database or student file for WBL</li> </ul>
<b>STAGE 4</b> <b>INTERVIEW</b>	<b>FAILURE TO KEEP ANY STAGE 4 TARGETS</b>	Meeting to be held with director/HoS/student/parent / guardian	Meeting is to discuss the reasons for the broken contract and the decision to be made including possible exclusion	Recording as per Stage 4 Disciplinary panel

### 3.1 TYPES OF BEHAVIOUR AND SUGGESTED STAGES

This list is not exhaustive but suggests examples of behaviour which is unacceptable where necessary incidents may go to the next stage if the college deems it appropriate.

Disciplinary stages will be assessed as to what is reasonable judgement based on the behaviour displayed at the discretion of the college management team.

- Tutors are responsible for class management and the College supports them in establishing a learning environment for all their students
- To ensure an appropriate learning environment they will set rules within the classroom or learning activity area
- We expect **parents/guardians/key workers** to support us with these rules as they ensure that everyone present is able to learn in a supportive, non-threatening environment
- We strive to ensure **ALL** learners have a happy and safe time at College.

<b>STAGE 1</b>  <b>VERBAL WARNING</b>  (maximum of 3 verbal warnings)	<ul style="list-style-type: none"> <li>▪ Lateness to class</li> <li>▪ Absence with no authorised reason</li> <li>▪ Attendance less than 95%</li> <li>▪ Refusing to settle down to start lesson</li> <li>▪ Refusing to follow instructions or unwillingness to work</li> <li>▪ Using Mobile Phone in classroom or activity areas unless instructed as part of the session</li> <li>▪ Talking over the tutor</li> <li>▪ Not completing assignment deadlines</li> <li>▪ Unwillingness to liaise with tutor about issues of concern</li> <li>▪ Continual littering of the College grounds</li> <li>▪ Smoking on premises</li> <li>▪ Inappropriate clothing – very provocative or offensive pictures/language</li> </ul>
<b>STAGE 2</b>  <b>WRITTEN WARNING</b>	<ul style="list-style-type: none"> <li>▪ The 4<sup>th</sup> verbal reprimand will evoke Stage 2</li> <li>▪ Unwillingness to work with others</li> <li>▪ Teasing/calling names</li> <li>▪ Use of inappropriate language</li> <li>▪ Shouting or low level anti-social behaviour and disruption</li> <li>▪ Refusal to abide by stage 1 improvements or engage in behaviour support plans</li> </ul>
<b>STAGE 3</b>  <b>DISCIPLINARY PANEL</b>	<ul style="list-style-type: none"> <li>▪ Breaking of any of the Stage 2 targets or an incident deemed severe enough to warrant immediate Stage 3.</li> <li>▪ Anti-social behaviour or disruption that is offensive</li> <li>▪ Fighting, shoving, contriving to cause a fight (may be Stage 4)</li> <li>▪ Bullying (may be Stage 4)</li> <li>▪ Damage to property and disrespect of college resources or premises</li> <li>▪ Self-Injury or injury to others from non-compliance or immature behaviour</li> <li>▪ Plagiarism (Stage 3 or 4) (see Academic Misconduct policy)</li> <li>▪ Bringing the College into disrepute/inappropriate use of social media</li> </ul>
<b>STAGE 4</b>  <b>DISCIPLINARY PANEL</b>	<ul style="list-style-type: none"> <li>▪ Breaking any of the Stage 3 targets or any incident deemed as gross misconduct</li> <li>▪ Threatening staff or students</li> <li>▪ Tantrums, throwing objects, inappropriate sexualised behaviour, uncontrolled temper</li> <li>▪ Inappropriate use of social media threatening or sexualised content</li> <li>▪ Injury to others, fighting, shoving, or causing a fight</li> <li>▪ Threatening behaviour verbally or physically</li> <li>▪ Harassment or Bullying in respect of equality characteristics</li> <li>▪ Stealing/damage to property</li> <li>▪ Bringing the College's name into disrepute by external activities</li> </ul>
<p><b>THE PROCESS IS GUIDED BY THE DISCRETION OF THE DUTY MANAGER OR CURRICULUM MANAGER DEALING WITH THE INCIDENT, THEY WILL INSTIGATE A LEVEL OF DISCIPLINARY PROCEDURE BASED ON THE GENUINE BELIEF OF THE IMPLICATIONS OF THE INCIDENT AT THE AT TIME. STAFF WILL TAKE ACCOUNT OF CONDITIONS WHICH HAVE BEEN MADE KNOWN TO THEM E.G.</b></p> <ul style="list-style-type: none"> <li>○ MEDICAL DISORDERS (MENTAL OR PHYSICAL) AND MEDICATION</li> <li>○ LEARNING DIFFICULTIES AND BEHAVIOURAL DIFFICULTIES</li> <li>○ DISABILITIES</li> <li>○ LOW ESTEEM DUE TO BEING IN CARE SYSTEM OR HIGH RISK VULNERABILITY</li> </ul> <p style="text-align: center;"><b><u>CREATING AN EFFECTIVE AND SAFE LEARNING ENVIRONMENT IS OF PARAMOUNT IMPORTANCE FOR ALL</u></b></p>	

### 3.2 INTERVIEW AT STAGE 4

Following the Stage 4 interview the student may be re-instated or a recommendation will be made to the Director for exclusion.

Potential options are:

- Reinstatement of student
- Exclusion in severe circumstances eg aggressive violence, threats, drug dealing, repeated poor academic behaviour, previous disciplinary issues
- Reduced timetable to complete work in the Learner Centre or other appropriate area eg home
- Suspension for an agreed period of time
- Strict contract with time frame for completion of studies.

The student will be informed of the decision within 5 working days of the decision where feasible.

**In extreme circumstances where a student is excluded, they will be asked to hand in their Campus badge, and will be given a period of exclusion e.g. 12 months. This will be included in their letter and recorded on EBS.**

Students who are not excluded, but who are found to have committed a Stage 4 incident will automatically be excluded from College projects or Sports Academy.

Non-compliance with any Stage 4 re-instatement requirements may result in automatic exclusion or an alternative provision by the Deputy Principal or Senior Manager.

**PLEASE NOTE:** If the student chooses not to attend a disciplinary interview, then the interview will proceed and disciplinary action will be agreed, based on the evidence collected, unless in the manager's opinion there are extreme extenuating circumstances.

### 3.3 APPEALS – STAGE 4 ONLY

The student will have the right to appeal against any recommendation for exclusion or formal suspension at Stage 4. Notice of Appeal must be lodged with the **Deputy Principal** within 10 working days of the date of the recommendation for exclusion or suspension and must give grounds and brief particulars of the appeal.

- An appeal interview will be held within 10 working days of the date of the appeal letter being received by the Deputy Principal's office.
- Where possible the student will be given at least 5 days' notice of the time and place of the appeal interview and will be entitled to be accompanied by a friend, student representative, relative, or care worker.
- At the appeals interview, the student will be invited to explain the grounds of the appeal and to state his or her case.
- The Director who made the recommendation to exclude or suspend will be asked to respond to the appeal and explain the reasons for the recommendation. The Deputy Principal will consider the evidence presented.
- If the appeal is dismissed, the recommendation of the member of staff will stand. The Deputy Principal may not impose any greater sanction against the student than that recommended by the Director.

- Within 5 working days of the appeal interview, the final decision by the Deputy Principal will be confirmed in writing to the student. A time limit will be given in the letter during which the student cannot reapply to College.
- If a student is excluded or formally suspended for a given period, then the Deputy Principal will ensure the Exclusion/Suspension database is updated and exclusion recorded.
- The decision of the Deputy Principal at this stage is final and binding. In the absence of the Deputy Principal any member of the EMT can substitute.

## **SECTION 4 - VARIATIONS AND AMENDMENTS TO THIS CODE**

In some cases it may be desirable that variations be made to procedural aspects of this Code. The College may make such variations as it sees fit, subject to informing the student concerned and subject always to considerations of fairness. Without limitation, such variations may include disciplinary or appeals interviews being conducted by different persons, if the person who would otherwise be conducting the interview has previously had close personal involvement in the matter to be considered or is unavailable due to extenuating circumstances.

## **SECTION 5 - STUDENT DISCIPLINARY RECORDS**

- Minutes should be taken at Stage 3 and 4 meetings and appeals.
- Any minutes of hearings will be retained by the College under confidential cover and will not be provided to any other parties except when the College is required to comply with legal issues. However a summary of evidence or investigation points may be made available to the student concerned if deemed appropriate by the senior manager involved.

### **Associated Policies/Procedures:**

Safeguarding Learners Policy

Search Policy

Sports Academy/Disciplinary Process

Equality, Diversity & Inclusion Policy