



QUALITY ASSURANCE

STUDENT DISCIPLINARY – Policy Ref: GSL/11/5

This Procedure relates to the above policy.

1. Use

- 1.1 This policy should be read in conjunction with other relevant College policies. Depending on the circumstances of a particular matter, it may be appropriate to invoke other College policies.
- 1.2 In particular, the protection of children and vulnerable adults at College is of paramount importance and the College may take disciplinary action in respect of any student who it reasonably considers poses a threat in this regard.
- 1.3 If a disciplinary allegation leads to the involvement of the police, the College may continue with disciplinary proceedings notwithstanding that police investigations may be ongoing. Nothing in this policy obliges the College to proceed, however, and in some cases it will be entirely appropriate to halt the College's internal proceedings.
- 1.4 Should police investigations conclude without criminal proceedings being brought against a student, or should a student be found not guilty of an alleged criminal offence, the College may still proceed with disciplinary proceedings.
- 1.5 Any stage of the procedure can be invoked without having undergone previous stages. Each case will be considered separately and the potential severity of the allegations will determine which stage of the procedure is invoked. This means that in serious cases, students can directly progress to Stage 3 (final written warning) is issued or Stage 4 (suspension) or Stage 5 (exclusion).
- 1.6 Similarly, at any Stage, the College can decide to impose a lower sanction, e.g. if the procedure is invoked at Stage 5, a final written warning can be issued.

2. Expected Behaviour

Student and College Charter

- Learners to abide by the College Behaviour Code and Learning Contract
- Learners to attend all timetabled classes, arriving punctually, and to notify us of any absence immediately
- Learners to show respect to others regardless of their ethnic background, sexuality, gender, religion or personal circumstance
- Learners to show respect for other's property
- Learners to work hard to achieve their full potential

- Learners to take responsibility for meeting set deadlines for the submission of their work
- Learners to co-operate fully to ensure that the Health & Safety Policy is observed

College Behaviour Code (written by the Student Union)

We all want to enjoy our time here at College and learn in a safe, relaxed and friendly environment. So, let's all respect each other, our College and...

- Watch our language
- Use mobile phones and ipods only at appropriate times and in appropriate places
- Keep our food and drink out of learning areas (including the LRC)
- Bin our litter and keep The Crescent tidy
- Respect the College buildings and other people's property
- Treat each other as we would like to be treated and respect our differences
- Respect the College's zero tolerance Drugs Policy
- Be on time for all classes
- Work hard, but remember to relax and enjoy ourselves!

The following list gives examples of prohibited behaviour. It is not an exhaustive list:

- use of abusive language;
- persistent unauthorised absence or lateness;
- repeated failure to submit work;
- spitting;
- theft;
- criminal activity of any sort including possession of, use of, or dealing in illegal drugs;
- bringing a dangerous weapon to College;
- contravention of the College's policies;
- fighting or violence of any kind;
- damaging College property;
- plagiarism or cheating of any kind;
- failure to follow reasonable instructions of College staff;

3. Responsibility

Monitoring the implementation of this procedure and its future development is the responsibility of the Assistant Principal: Quality & Organisational Development. The Assistant Principal: Quality & Organisational Development will produce an Annual Report for the Corporation on disciplinary matters.

All College staff at all levels have an individual and collective responsibility to manage student discipline.

Learning Coaches are primarily responsible for student performance management. Where students have not been assigned a Learning Coach, the Course Leader will assume the role of the Learning Coach and any reference to 'Learning Coach' in the text should be replaced by 'Course Leader'.

4. Guidance

All staff encountering inappropriate student behaviour should address the student directly. In certain circumstances, the member of staff may wish to

seek the support of colleagues (such as a college manager or college security staff) before challenging student behaviour.

5. Stage One - Cause for Concern

- 5.1 It is recognised that many minor instances of inappropriate behaviour can be dealt with informally by staff raising these with students.
- 5.2 Where a student responds inappropriately to informal counselling by staff, or repeats/continues the behaviour or the behaviour is of a sufficiently serious nature, the incident must be reported to the student's Learning Coach, using the College "Concern Form" (see Appendix A).
- 5.3 On receipt of a Concern Form, the Learning Coach must speak to the student about the incident, discuss what happened and informally agree action to avoid repetition of the behaviour. The Learning Coach must then log the concern on the Online Learner Record.

If the student is in receipt of EMA, the Learning Coach may decide to recommend non-payment of EMA for that particular week. If this is the case, the Learning Coach must complete the EMA Non-payment Form and discuss the case with the Welfare & Guidance Manager in Learner Services who will make the final decision regarding all non-payments. The Learning Coach must log this on the Online Learner Record.

Learning Coaches can also recommend delaying payment of EMA Bonuses. This must be discussed with the student and targets for improvement must be set. The case must be discussed with the Welfare & Guidance Manager in Learner Services who will approve the payment delay and specify a review date. The Learning Coach must log this on the Online Learner Record.

6 Stage 2 - Formal Warning

- 6.1 If a student collects 3 Concern Forms, the Learning Coach will issue a **Written Warning** (see Appendix B) which should be filed in the student's individual record and logged on the Online Learner Record. The Learning Coach will meet with the student and targets will be set on the Written Warning Form. These will be monitored and progress will be recorded by the Learning Coach.

The Course Team will be informed of the situation and copies of written warnings with a covering letter from the Curriculum Director will be sent to the parent or guardian of students who are under 19 (only if a learner has given us valid consent to share personal data in this way).

7 Stage Three - Final Written Warning

- 7.1 If the student is still behaving inappropriately, the Learning Coach and the Curriculum Director will review the situation and may decide to issue a **Final Written Warning** (see Appendix C).

The Curriculum Director will invite the student to a meeting to issue the final written warning (in the case of students under 19, their parents or guardians will also be invited to attend only if a learner has given us valid consent to share personal data). Targets for improvement will normally be set (including time spans for completion) and monitored on a regular basis (i.e. weekly) by

the Learning Coach on the Final Written Warning Form. The Learning Coach must log this on the Online Learner Record. The Course Team will be kept informed of the situation.

It will be made clear to the student, and parents / guardians that any further lapse in behaviour may result in exclusion.

Final written warnings remain active for **three months** and are then reviewed. Final written warnings will be kept on file for the duration of the course and may be used when providing internal admissions references.

8. Stage Four - Suspension

8.1 Suspension will only be used if:

- an allegation of serious misbehaviour has been made (e.g. a child protection allegation, alleged violence towards another student, a serious breach of health and safety has been alleged) and/or
- suspension is necessary pending investigation (whether by the College or by external agencies such as police, Social Services etc.)

8.2 Suspension can only be issued by a Senior Postholder at the College who has been given express authorisation from the Principal. This must be confirmed by the issuing of a Suspension Letter (see Appendix D) and recorded appropriately (a copy of the letter will also be sent to the parent / guardian of a student under 19).

8.3 A copy of the suspension letter will be sent to the Learning Coach for inclusion in the individual's record and this must be recorded on the Online Learner Record. A date will be noted within the letter for the student to attend College to be told about the outcome of the investigation. On occasions it might be necessary to extend a period of suspension to allow further time for investigation etc.

Wherever appropriate, support will be given to enable the student to continue his/her studies remotely.

8.4 An investigation will be undertaken into the allegations of serious misbehaviour. The Curriculum Director will normally act as the Investigating Officer.

The outcomes of the investigation can be a recommendation for:

- the student being allowed to return to College;
- a final written warning (Point 13); or
- progression to Stage 5, a Disciplinary Hearing;

The Investigating Officer will make recommendations to the Senior Postholder and the student will be notified.

9. Stage Five - Disciplinary Hearing

9.1 A disciplinary hearing will be convened where:

- an allegation of serious misbehaviour has been made, so serious in nature that immediate referral to Stage Five of this procedure is justified; or

- where there has been no improvement or a further alleged incident of misconduct further to a final written warning/the student has failed to meet targets set out in a final written warning; or
 - a student has been suspended pursuant to Stage 4, and an investigation has led to a recommendation of progression to Stage 5.
- 9.2 The disciplinary hearing will consist of the Director of Learner & Learning Services and the Curriculum Director. The student will be invited to the disciplinary hearing accompanied by a fellow student/parent/personal tutor etc. The invitation to the hearing will set out what the allegations are and the potential consequences. The Director of Learner & Learning Services will chair the hearing and the Curriculum Director will present the case for the College.
- At the appeal hearing, the student and his/her representative will be given the opportunity to set out their representations.
- 9.3 The Disciplinary Hearing Panel will decide on whether to issue a disciplinary sanction. The full range of sanctions detailed in this policy are available to the Disciplinary Hearing Panel, i.e. a written warning, a final written warning, or exclusion
- 9.4 The Chair of the Disciplinary Hearing will write to the student (and his/her parent or guardian in the case of students under 19) to confirm the outcome of proceedings.
- 9.5 A copy of the outcome letter will be sent to the Learning Coach for the student's individual record. All documentation should be filed in the student's individual record and recorded on the Online Learner Record and MIS must be informed. The appropriate Curriculum Director will receive a copy of the exclusion letter and must inform the Course Team
- 9.6 In the case of a student being excluded, the Director of Learner & Learning Services will seek approval from the Deputy Principal who will make a recommendation. If approved, an Exclusion Letter (see Appendix E) to the student to confirm the terms of the exclusion will be sent (as a minimum this will be for the rest of an academic year). The conditions relating to any future re-engagement with the College will also be made clear (this will usually involve the submission of a written request from the student to be reconsidered for future enrolment).

12. Appeals

- 10.1 The only sanctions against which a student may appeal are final written warnings or exclusion. Written notice of the appeal and grounds of the appeal must be given to the Assistant Principal: Quality & Organisational Development within five working days of the date upon which the student received written notification of the final written warning or exclusion.
- 10.2 Appeals can be considered on one or more of the following grounds:
- the decision was irrational;
 - the sanction was disproportionately severe;
 - there have been procedural irregularities in the handling of the matter; and
 - evidence which was not available at the time of the original decision has come to light.

- 10.3 Appeals relating to final written warnings and exclusion will be heard by convening an Appeals Committee. This is comprised of two Senior Postholders, and the Director of Quality. The panel will make a recommendation. The decision will be made by the Principal. This decision will be final.
- 10.5 The appeal will be heard as soon as possible, but the student is entitled to five working days notice of the date, time and venue of the appeal hearing, unless an earlier date has been mutually agreed. The Appeals Committee has access to all the reports and statements used in the hearing.
- 10.6 At the appeal hearing, the student and his/her representative will be given the opportunity to set out their representations.
- 10.7 The decision will be communicated to the student in writing, as soon as practicable. The decision is final.

Appendices

- Appendix A: Concern Form
- Appendix B: Record of Written Warning
- Appendix C: Record of Final Written Warning
- Appendix D: Notice of Suspension pending an Investigation
- Appendix E: Notice of Exclusion letter



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Appendix A

STUDENT DISCIPLINARY CONCERN FORM

To be completed by any member of staff

Student name	
Learning Coach	
Course	

Brief details of concern

Staff signature	
Date	

Agreed Actions	Update

Learning Coach signature	
Student signature	
Date	



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Appendix B

STUDENT DISCIPLINARY WRITTEN WARNING

Student name	
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Reason for written warning

Agreed actions for improvement	Review date

Learning Coach signature	
Student signature	
Date	

Copies to: Parent/Guardian [if appropriate]



Appendix C

**STUDENT DISCIPLINARY
FINAL WRITTEN WARNING**

Student name	
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Reason for final written warning

Action	Timescale	Date Completed

This final written warning is active for 3 months until:
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**It has been made clear that any further lapse
in behaviour will result in exclusion.**

Curriculum Director signature	
Student signature	
Date	

Copies to: Curriculum Director
Learning Coach
Parent/Guardian [if appropriate]

Appendix D

Name

Address

Date

Dear

NOTICE OF SUSPENSION FROM COLLEGE PENDING AN INVESTIGATION

Further to the incident/s you were involved in, I find it necessary to suspend you from College pending an investigation.

The investigation should normally take [INSERT] working days . During this period, we will undertake a detailed investigation of the incident/s. Anyone who may have information about the allegation will be interviewed and factual information summarised in writing. A report will be written by the Investigating Officer outlining the evidence and the information gathered during the investigation.

Please note you must not enter the College premises during this period.

You are required to attend College for a meeting to receive the findings of the investigation on [insert date, time and location of meeting]. At this meeting you will have the opportunity to comment on the incident and ask questions on the report findings. If disciplinary action is to be taken, you will be informed of this at the meeting.

(Insert “This letter is also being sent to your parents/carer who are invited to attend this meeting with you.” if under 18 years)

Yours sincerely

(Relevant Senior Postholder)

Copies to: Deputy Principal
Curriculum Director
Learning Coach
Parent/Guardian [if appropriate]
MIS

Appendix E

Date

Dear

NOTICE OF EXCLUSION

Further to the meeting of [DATE], I now write to confirm your exclusion from College, which takes effect immediately. The reason for your exclusion is [INSERT].

If you wish to apply for re-admission to College in the next academic year, you will need to write to the Principal. In any future application to recommence studying at the College, we will take into consideration any evidence you are able to provide which indicates you have improved your behaviour and are able to conduct yourself responsibly in the college environment.

You may wish to appeal against this decision. If so you must write to me within 5 working days advising me of your appeal using the disciplinary procedures drawn to your attention at the meeting.

Yours sincerely

[INSERT]

Enc Student Disciplinary Procedures

Copies to: Deputy Principal
Director of Learner & Learning Services
Curriculum Director
Learning Coach
Parent/Guardian [if appropriate]
MIS