

Student Disciplinary Policy: Managing Student Behaviour and Performance

The purpose of this policy is to ...

- **Set out and maintain expectations and responsibilities of student behaviour and conduct;**
- **enable staff to safeguard and promote the welfare of students;**
- **encourage a culture which makes our College a safe and respectful place in which to learn.**

Who does this policy apply to?

This policy applies to all students studying on any course at any level.

Policy Statement

The college expects students to take responsibility for their learning and actions, and, behave in a mature and appropriate manner at all times while on college grounds or involved in college activities on or off site.

The need for disciplinary action is kept to a minimum by ensuring that students are made fully aware of their responsibilities. However, where concerns arise, appropriate actions and support will be put in place.

It is important to be aware that we operate a zero tolerance policy for the following behaviours. We will take immediate action should any student be found to have engaged in any of these actions. In serious cases this could lead to temporary or permanent exclusion:

- Bullying or harassment, whether this is in person or using any form of communication channel
- Any form of discrimination, including making racist, sexist, homophobic or other derogatory comments
- Any actions in opposition to British Values; including democracy, the rule of law, individual liberty, mutual respect and tolerance of different faiths and beliefs.
- Putting anyone at risk, whether this is physically, sexually or emotionally
- Plagiarising, copying others' work or cheating
- Bringing illegal drugs or alcohol onto the premises or coming into college under the influence of either
- Being violent, vandalising or engaging in any criminal or extremist activities

Why we need this policy / background information

All students should be made aware of their responsibilities and the college's expectations of them as part of their induction, through discussion of:

- College Values
- College Code
- British Values

This procedure has been prepared in consultation with representatives of students, senior leaders and the Board of the Corporation and is in accordance with the Corporation's Instrument & Articles of Governance:

Article 18:

(3) After consultation with representatives of the students, the Corporation shall make rules concerning the conduct of students, including procedures for their suspension and expulsion (including expulsion for an unsatisfactory standard of work or other academic reason).

Roles and responsibilities

Staff should refer to the Summary of Formal Procedures Table (Appendix 1).

All Staff

All members of college staff are expected to challenge inappropriate behaviour of an informal nature (e.g. behaviour in corridors, cafeteria, smoking in undesignated areas and not wearing lanyards). More serious misconduct, necessitating formal action, should be reported to the Directorate in which the student has enrolled. If the incident is serious or is in danger of escalating then Security should be called to attend immediately. Non-teaching staff should raise the concern with appropriate teaching staff within the student's area of study.

All formal proceedings should only be dealt with by the Directorate and must be recorded centrally on ProMonitor. This will ensure that a consistent and systematic approach is maintained at all times. All details of students recommended for exclusion are retained by the office of the Vice Principal – Curriculum.

Students may not administer sanctions against other students except as allowed for within the Students' Union Constitution.

Types of unacceptable behaviour are listed in the college code (and in the Summary of Formal Procedures Table), and there will obviously be varying degrees of seriousness within the definition. This list is not exhaustive. In all instances, where a student's standard of work or behaviour is not satisfactory, it is the responsibility of the individual member of staff to identify at what stage the procedure should be applied. If the wellbeing of the student is considered a potential cause for misconduct at any stage in this process, a referral to the Wellbeing Team is required prior to continuing with formal procedures.

Teaching Staff and Instructors

All teaching staff, including Apprenticeship Co-ordinators can issue a cause for concern which can be for any matter (not just disciplinary). The cause for concern should be documented on ProMonitor under the disciplinary/comments section. All staff attached to the student (including Study Support Mentors) can see this information and are to add comments on the student's progress to improve the cause for concern. Concerns should be shared with parent/carers and employer as and when appropriate.

Personal Tutors and Apprenticeship Assessor

A Stage 1 disciplinary can be issued by any member of teaching staff via the comments feature in ProMonitor. However, the student's Personal Tutor or Apprenticeship Assessor

as applicable, is responsible for conducting the disciplinary meeting with the student and set a review date. A member of the Wellbeing Team may also be present if appropriate. The Personal Tutor is also required to attend disciplinary meetings and reviews where possible and appropriate at higher stages in the disciplinary process.

Learning Managers and Apprenticeship Managers

Again any member of teaching staff can issue a Stage 2 disciplinary via the comments feature in ProMonitor. However, it is the Learning Manager, Apprenticeship Manager (and Personal Tutor where possible/appropriate) who shall conduct the disciplinary meeting and set a review date. A member of the Wellbeing Team may also be present if appropriate and the student's parent/carer and employer may also be notified/invited to attend if necessary.

Directors of Learning/Heads and Director of Learning for Apprenticeships

In the event of serious misconduct the Learning Manager or Apprenticeships Manager will initiate Stage 3 disciplinary procedures, i.e. a Stage 3 Disciplinary Hearing and record on ProMonitor. In the event of alleged gross misconduct the Learning Manager (with approval from the Director of Learning/Head or Director of Learning for Apprenticeships) can authorise a temporary suspension (see note below on exclusion) of up to 7 working days.

In the event of gross misconduct a Director of Learning/Head or Director of Learning for Apprenticeships will convene a Stage 3 Disciplinary Hearing and will either:

- Issue a Written Warning
- Issue a Final Written Warning
- Authorise a temporary exclusion (max 10 working days)
- Or recommend that the student is permanently excluded.

Vice Principal Curriculum / Deputy Vice Principal

In the event of a student being recommended for exclusion by a Disciplinary Hearing, the Vice Principal or Deputy Vice Principal will convene a **Stage 4 Exclusion Panel** and may either:

- Issue a permanent exclusion
- Issue a written or final written warning or
- Issue an appropriate sanction.

Disciplinary Hearings, Exclusion Panels and Appeals

Evidence must be provided to the Chair of the panel, 5 days prior to the disciplinary hearing.

At any disciplinary hearing, exclusion panel or appeal, the Chair will open proceedings by introducing those present, explaining their roles. The Chair will then explain the procedure and state the possible outcomes.

The case against a student will then be made by the appropriate curriculum staff member.

The student will then state their case outlining the issues from their perspective.

The Chair will then take questions in turn from the curriculum staff and the student or their representative.

When all relevant issues have been explored the Chair will ask for any final comments from the panel, the student and their representatives and any others present.

The Chair will close the hearing and inform the student that a decision will be taken shortly and that they will be notified in writing within 5 working days.

Appeals (Stage 5)

A student may appeal the decision of the Exclusion Panel (Stage 4). Appeals should be sent in writing to the Principal within 5 working days of the student being informed of the outcome of the panel. The grounds for appeal must be clearly stated.

At the appeal stage the Principal's decision is final.

Liaison with external agencies

If after investigation the behaviour is deemed as serious criminal behaviour or activity (i.e. theft, racism, and homophobia, physical or verbal abuse, threats of radicalisation or violent/non- violent acts of extremism) then the investigation may be passed over to the Police and/or other appropriate external agencies.

Links to college values and other college policies

This policy should be used in conjunction with the following policies and procedures:

- Safeguarding & Child Protection Policy
- Equality, Diversity and Inclusion Statement
- Health and Safety Policy
- Student Anti-Bullying and Harassment Policy
- E-Safety Policy
- Bournemouth and Poole College Mission, Vision and Values
- Faith Policy
- Data Protection Policy
- Acceptable Use of IT Policy

Who needs to understand this policy and how will they know about it?

The following training and awareness will be put in place:

Who?	How?
Students, parents/carers	Policy available on the college website. Reference made to the policy throughout the application and enrolment process – at College Open Events, during interview, in offer letters, invitation to enroll letter, at enrolment.
College managers	Included in CMT bulletin and shared at team meetings to cascade with staff.
All teaching staff	Briefing by Directors of Learning/Heads and/or Learning Managers, Apprenticeship Co-ordinators, Managers and Directors, 'All Staff' e-mail, Team Brief, visits to team meetings if requested.
Business Support staff who interact with students	Briefing by line managers; copies of the policy to be distributed.

PROCESS / PROCEDURE

Suspension

In dealing with allegations of gross misconduct, suspension may be used to remove a student or students from a potentially difficult or dangerous situation while an investigation is carried out. Students can only be suspended by either a Director of Learning/Head or a member of the college Senior Leadership Team.

NB Where students are suspended care must be taken to ensure that all parties are treated equally. In personal disputes it is usually necessary to suspend both parties unless one can be reasonably certain that the offence was either unprovoked or that the victim's innocence has been clearly established.

Key Stage 4 and Apprentices

Suspension of students enrolled on Key Stage 4 may be authorised by the Key Stage 4 Manager. In the case of students enrolled on work-based learning programmes, suspension may be authorised by the Director of Learning for Apprenticeships or relevant Director of Learning/Head. Employers should be informed of all concerns relating to their apprentice. Parents/carers will also be informed if the student is under 18 years of age or considered to be a vulnerable adult.

Students under 18 and Vulnerable Adults

In order to ensure that all necessary child protection obligations are met, no student under the age of 18 or considered to be a vulnerable adult, can be suspended or removed from premises without first contacting a parent or carer.

Educational Visits and Off-Site Activities

In the event that disciplinary action is required whilst on an educational visit, the named leader or senior member of staff shall make a discretionary decision regarding the most appropriate immediate course of action, taking into account the principles of this procedure. This must be followed up on return to college with an appropriate ProMonitor record.

Wellbeing and Fitness to Study

The college is committed to the support of students' health and well-being and recognises the importance of this in relation to their academic progress and achievement. The well-being and fitness to study procedure is a supportive approach which can be used by staff when students are unable to meet course requirements in terms of attendance, participation in class or completion of work due to aspects of the students' personal life such as caring responsibilities, medical conditions or mental health difficulties.

The college recognises that there may be times when students are unable to recognise that they are placing unreasonable demands on staff, negatively influencing the learning of other students or endangering themselves or others. In some instances it will be more appropriate for staff to address concerns related to fitness to study as opposed to a disciplinary approach.

Formal Procedure - Principles

Recorded

All aspects of the formal process will be recorded on the student's personal record on ProMonitor.

The following information relates to the period of time that the college shall retain information on students who have been referred as part of this process. It is the responsibility of the chair of meetings to notify Information Services in the event of permanent exclusion.

Outcome	Minimum Duration	Notes
Referral Interview Written warning	Study Programme(s) Duration	
Final Written Warning / Temporary Exclusion	2 Years	May be referred to in any application that the student may make to the college for any future course of study
Permanent Exclusion	5 Years	A block on applications from excluded students is placed on the college Management Information System. Excluded students may, after writing to and meeting with the Vice Principal (Curriculum), be permitted to apply for a further course in the college. Such permission will be at the Vice Principal's (Curriculum) discretion.

Confidentiality

Some aspects of discussions may be confidential or inappropriate to share amongst a wider audience. The person completing the records on ProMonitor should be sensitive to this and only include information as appropriate, or retain a separate record of confidential discussions.

Action-planned

In all cases, the referral should identify the action that is required by the student to reach the agreed target(s) for improvement.

Additional Support

Staff should always consider a student's needs in terms of their mental health, Special Education Needs, Educational Health Care Plans or Looked After status to determine whether any additional support that may be required to aid the student's progress.

Reviewed

All referrals must be reviewed to ensure achievement of the target(s). This should be between 1-4 weeks as appropriate with a follow up review if necessary.

Supportive

Referrals should be seen as supportive. The referral process is intended to identify what the college can do to support the student in improving their conduct/attitude.

Representation

Students should be offered the opportunity to bring a representative to any meeting. This could be a family member, friend, Students' Union Officer, Student Services staff member, Student Rep or other person.

Failure to attend a meeting

If a student has had reasonable written notification of the need to attend a meeting but fails to do so, it is at the discretion of the Personal Tutor/Apprenticeship Manager (Stage 1 and 2) or Chair (Stages 3 and 4) whether the meeting will proceed without the student being present and sanctions imposed in their absence.

Repeated General Misconduct

In the event of repeated general misconduct, whether for a similar or different matter, it is within the Personal Tutor's discretion whether to refer the student directly to the next stage for further action, or whether they want to allow the student a further opportunity at Stage 1.

Policy approved by: The Senior Leadership Team (SLT)

Date: June 2017

This policy will be reviewed in: February 2019

Examples (not exhaustive)	Cause for Concern (Minor Misconduct)	Stage 1 (General Misconduct)	Stage 2 (Serious Misconduct)	Stage 3 (Gross Misconduct)
	<ul style="list-style-type: none"> Unsatisfactory low level behaviour Unsatisfactory standards of work Unsatisfactory attendance and/or punctuality Inappropriate use of mobile phones or other technologies Failure to meet assessment deadlines Failure to wear student ID/lanyards Smoking in non-designated (including E- cigarettes) areas on site 	<ul style="list-style-type: none"> General unsatisfactory and thoughtless behaviour / disruption Acting irresponsibly and putting self or others at risk Consistent failure to complete or hand in work on time Repeated poor attendance and/or punctuality Consistent and inappropriate use of mobile phones or other electronic devices, i.e. mobile phones in teaching areas Repeated Failure to wear student ID/lanyards Copying of work (a couple of sentences from a book or a small sections downloaded from the internet) Failure to comply with College procedures. 	<ul style="list-style-type: none"> Repeated general misconduct and thoughtless behaviour Failure to complete course work or major assignments Refusing to wear student ID/disclose their identity when reasonably requested for it or giving incorrect information Swearing or verbal abuse directed at students or staff Failure to comply with Health and Safety regulations including repeated smoking and spitting Inappropriate use of internet or other College system Failure to pay fees Direct copying of other students' work for assessment. Repeated failure to comply with College procedures. 	<ul style="list-style-type: none"> Repeated mis-conducted Plagiarism or copying large sections from publications and / or other student's work and submitting it for assessment Serious breaches of Health and Safety regulations including damaging equipment and driving recklessly on or around College grounds Physical abuse or threat of physical abuse Harassment or discriminatory behaviour Promoting or engaging in extremist behaviour/activity Bullying and victimisation Carrying offensive weapons Criminal activity including theft, drugs, alcohol, violence or fraud Serious misuse of internet or other college systems The unauthorised taking or publishing of audiovisual images of students or staff and the posting of such images using internet technologies without their permission Failure to pay fees (where financial planning strategies are not being met)
Person responsible for issuing	Any member of staff	Any member of teaching staff to issue a Stage 1 disciplinary via comments feature in ProMonitor (FAO: Personal Tutor/Apprenticeship Assessor)	Any member of teaching staff to issue a Stage 2 disciplinary via comments feature in ProMonitor (FAO: Personal Tutor/Apprenticeship Assessor)	Any member of teaching staff to issue a Stage 3 disciplinary via comments feature in ProMonitor and telephone contact Director of Learning/Head or Director of Learning for Apprenticeships
Person(s) conducting/ attending the meeting	Not applicable	<ul style="list-style-type: none"> Personal Tutor/Apprenticeship Assessor Student (with supporting person) Member of Wellbeing Team where appropriate 	<ul style="list-style-type: none"> Learning Manager/Apprenticeship Manager Personal Tutor (where possible/appropriate) Student (with supporting person) Parent/carer/employer where appropriate Member of Wellbeing Team where appropriate 	<ul style="list-style-type: none"> Director of Learning/Heads/Director of Learning for Apprenticeships (or their deputy) Appropriate Learning Manager and/or Personal Tutor (where possible/appropriate) Student (with supporting person) Parent/carer/employer where appropriate Member of Wellbeing Team where appropriate
Action	<ul style="list-style-type: none"> Record on ProMonitor using comments feature as cause for concern and set CSMART targets as appropriate (FAO: Personal Tutor/Apprenticeship Assessor) Set review date (if required) Parental/carer/employer contact (if required) FAO Wellbeing Team if applicable 	<ul style="list-style-type: none"> Record Stage 1 meeting on ProMonitor (FAO: all relevant staff including Learning Manager) Set CSMART Targets as appropriate Set review date Parental/carer/employer contact (if appropriate) FAO Wellbeing Team if applicable 	<ul style="list-style-type: none"> Record Stage 2 meeting on ProMonitor (FAO: All relevant staff, including Director of Learning/Head /Director of Learning for Apprenticeships) Set CSMART Targets as appropriate Set review date Send Written Warning Parental/carer/employer contact (if appropriate) FAO Wellbeing Team if applicable 	<ul style="list-style-type: none"> Temporary Exclusion (if required) PREVENT Referral (if required) Record Stage 3 meeting on ProMonitor (FAO: All relevant staff) Set review date Send Written Warning Recommendation for permanent exclusion (if required) Parental/carer/employer contact (if appropriate) FAO Wellbeing Team if applicable
Next stage	Referral to Stage 1 for persistent, repeated minor misconduct	Referral to Stage 2 for persistent, repeated general misconduct	Referral to Stage 3 for persistent, repeated serious misconduct	Referral to Stage 4 for persistent, repeated gross misconduct
	REVIEW (1-4 WEEKS)	REVIEW (1-4 WEEKS)	REVIEW (1-4 WEEKS)	REVIEW (1-4 WEEKS)

Stage 4 – If at Stage 3 it is recommended a student be permanently excluded then this will be referred to the Exclusion Panel chaired by the Deputy Vice Principal and/or Vice Principal – Curriculum

Stage 5 – A student may appeal the outcome of Stage 4 to the Principal