

Student Disciplinary Policy

1. Introduction

The College is committed to supporting students to be workplace ready, acknowledging student achievement and fostering excellent behaviour. We recognise that positive and productive relationships with students are central to excellent behaviour management.

The College is committed to providing an environment in which all students feel comfortable and everyone is treated with respect and dignity. We adopt a zero-tolerance approach to any forms of bullying or harassment, including off-site and online.

We are also committed to ensuring that staff receive the support and training they need to foster these relationships and manage effectively and fairly any behaviour issues.

The College reserves the right to withdraw learners from their programme at our discretion.

The disciplinary process outlined below covers behaviours, course concerns (e.g failure to submit qualification work) and attendance.

There are students identified by a pink flag on ProMonitor:

- 'Looked After Students' / Children in Care
- Care leavers
- Students with a My Plan/My Plan+/EHCP

This enables staff to recognise that they will require reasonable adjustment and are likely to require more support and a holistic approach to managing behaviour.

It is important that any concerns for these learners are flagged promptly with the Head of Student Support to ensure that Gloucestershire College meets statutory timescales and obligations for these students.

The college also has a 'Capability to Study' process that works alongside the disciplinary process. In some cases it may be inappropriate to instigate the disciplinary process for example due to bereavement, mental health concerns or long term illness. Here the 'Capability to Study' process can be invoked.

1.1 Behaviours:

All students sign a learning agreement and agree to the GC Student Agreement and Code of Conduct. Any breach of this agreement, including any breach of Health and Safety or other College regulations, is deemed misconduct.

1.2 Course Concerns: Failure to submit qualification work.

A learner must follow the assessment policy and request any deadline extensions as per this policy. If a learner fails to submit qualification work by deadlines (or agreed extension deadlines) then the course concern process may be initiated.

The College reserves the right to withdraw learners from their programme due to failure to submit qualification work at our discretion (even as the result of illness or mental ill health), when this is impacting upon achievement of qualification outcomes and/or as per exam board regulations.

The College will explore ways of supporting learners to achieve their qualifications subject to the rules of the relevant examining bodies. This may include offering alternative self-taught unit(s) or nested qualifications where able and rules of combinations allow.

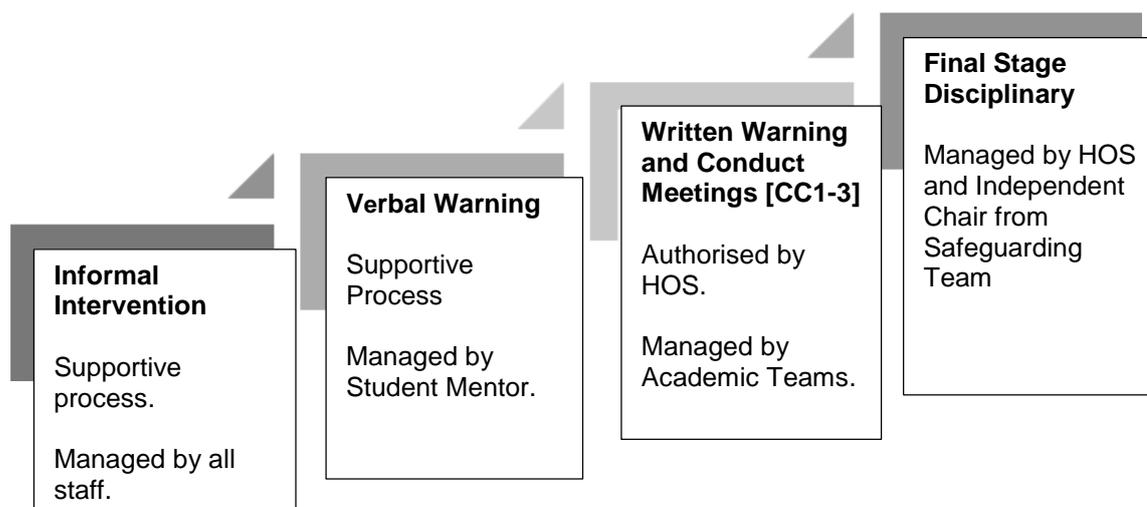
1.3 Non attendance

In line with the Attendance Policy, if a learner has not attended for four weeks and has not been in contact with their Tutor, they will be contacted via the Curriculum Administration Team with a 'time frame to get in contact or be withdrawn' letter.

1.4 Low or sporadic attendance that is impacting upon achievement

The College reserves the right to withdraw learners from their programme due to low attendance (even as the result of illness or mental ill health), when this is impacting upon achievement of qualification outcomes.

2. The Disciplinary Process



2.1 Stage 1 – Verbal Warning

Where informal interventions have been evidenced on ProMonitor and everything has been done to restore positive behaviour, the Student Mentor/ Training Co-ordinator can issue a verbal warning.

Other members of staff can request a verbal warning, but there must be a conversation/communication with Student Mentors to convey the reasons for this and the opportunities which have been sought beforehand.

- Step 1 – Verbal warning delivered by Student Mentor/ Training Co-ordinator
- Step 2 – Conversation logged on ProMonitor by Student Mentor/Training

Co-ordinator in the 'Manage Learner Meetings' section of ProMonitor.

2.2 Stage 2 – Cause for Concern meetings CC1-3 and Action Plan/written warning

In cases of persistent poor behaviour and/or multiple verbal warnings and/or failure to meet college expectations¹ a Cause for Concern meeting will be called. The Curriculum Administration team will send and record all correspondence.

The meeting will be recorded in the 'Manage Learner Meetings' section of ProMonitor.

Meeting outcomes:

- Written Warning confirmed and Action Plan agreed
- No further action

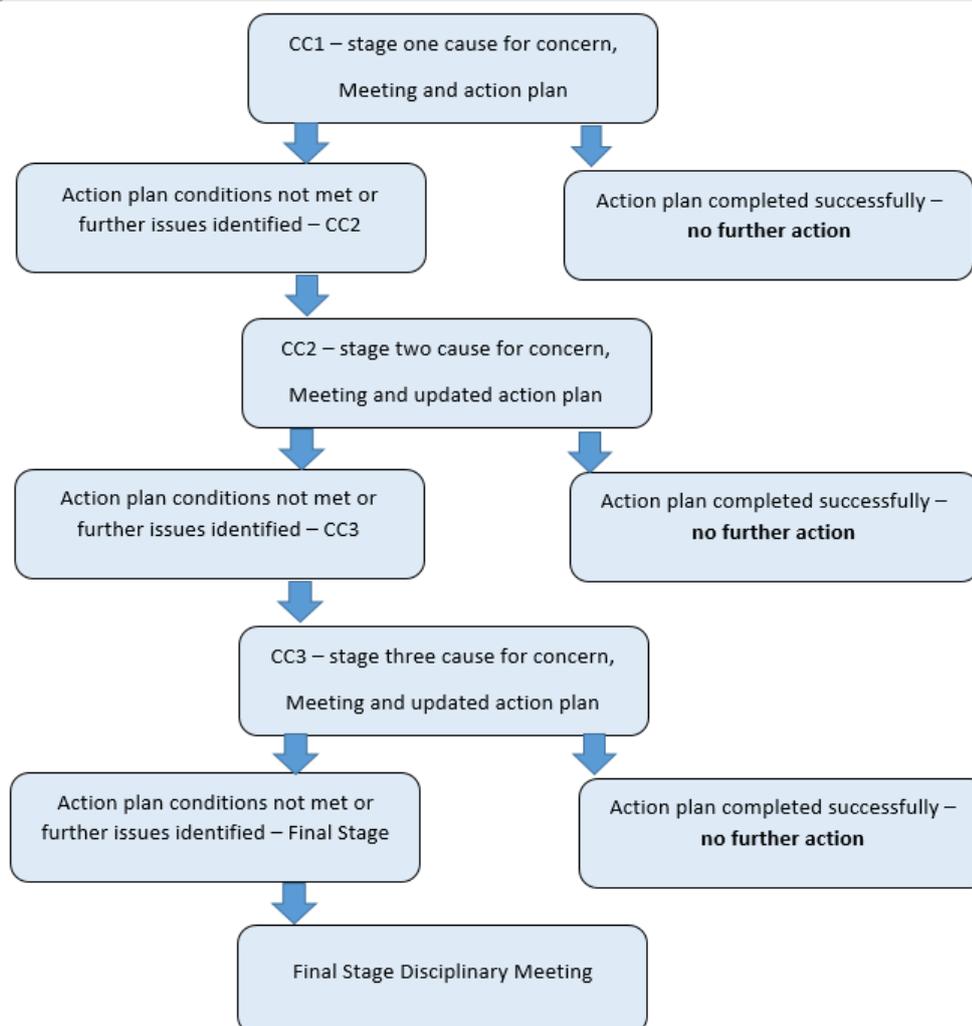
Failure to attend a Cause for Concern meeting at a pre-agreed date will result in the student progressing to the next stage of the disciplinary process.

Where a written warning is confirmed, the record will contain an Action Plan for improvement within an agreed timescale and outline the consequences of further misconduct or poor academic performance. A signed copy of the Action Plan will be uploaded to ProMonitor and a copy sent by the Curriculum Administration Team to the parent/carer/employer where appropriate.

¹ College Expectations e.g: Below 85% attendance. Failure to meet academic deadline/course requirements. Not meeting college values

This is a staged process as outlined below:

¹ College Expectations e.g: Below 85% attendance. Failure to meet academic deadline/course requirements. Not meeting college values



2.3 Final Stage Disciplinary Meeting

A final stage meeting will be called where:

- **Gross misconduct*** has occurred
- **A significant disruptive event*** needs to be investigated
- There has been a **failure to improve** following a CC3 written warning (Action Plan)

A formal meeting will be held between the Head of School, a member of the college Safeguarding Team and the Student, normally within 7 working days. The student has the right to bring representation to this meeting. The Curriculum Administration Team will send all correspondence.

***Gross misconduct and significant disruptive events will be heard at a Final Stage Meeting and do not progress through the verbal and written warning stages. Gross misconduct and significant disruptive events may have resulted in immediate temporary suspension. [Examples of Gross Misconduct are outlined in appendix I]**

2.3.1 Prior to the Meeting

Written notice of this meeting will be given to the student and (if appropriate) sent home to parents / carers / employers (in the case of sponsored students). The written notice will state:

- The nature of the conduct
- The student's entitlement to accompaniment
- Confirmation of the time and place of the meeting

Because of the nature of the misconduct alleged, it may be recommended that the student be excluded or formally suspended from the College by the Principal.

2.3.2 During the meeting

A report will have been prepared detailing the reasons for a final stage meeting by the Head of School. This report will be presented to a Chair (a representative from the Safeguarding Team).

Notes will be taken at the meeting. Parents / carers / employers (in the case of apprentices) **will** be invited to attend the meeting (where a student is under 18 at the start of their course and if over 18 has not withdrawn permission).

The meeting will have 1 of 3 outcomes:

- Action Plan and return to Cause for Concern Stage 3
- Recommend exclusion to the Principal
- No further action (Gross misconduct/significant disruptive event only)

These meetings can take place in the student's absence if they fail to attend at a pre-arranged date.

2.3.3 Following the meeting

Where a formal Action Plan is confirmed, a meeting to review progress will be conducted (normally within 20 working days of the student receiving the official warning). A signed copy of the Action Plan will be uploaded to ProMonitor.

If the recommendation is for exclusion or formal suspension, a letter will be sent, where possible, within five working days of the end of the Final Stage Meeting, giving the student notification in writing of the Chair's recommendation and details of how to appeal the decision. The Chair must send a copy of this letter to the Principal.

2.3.4 Right to appeal

The student will have the right of appeal to the Principal against any recommendation for permanent exclusion or formal suspension. A student must send a notice of appeal in writing to the Personal Assistant to the Principal within 10 working days of the date of the recommendation for exclusion or suspension and must give the reasons for the appeal against the outcome of the final stage meeting, along with any **new** supporting evidence.

If the notice to appeal is received within the above timeframe, **and the appeal is allowed**, the meeting with a member of the Executive Team will normally be arranged to take place within 10 working days of the receipt of the written appeal.

At the Appeal Meeting, the student will be invited to explain the reasons for the appeal and to state his or her case. This is not the forum to go over why the original decision was made but to take account of any **new evidence** or consider why the student deems the decision to be unfair. Any documents considered at the Final Stage Meeting will be available at the Appeal Meeting.

The Chair who made the recommendation to exclude or suspend will be asked to respond to the appeal and explain the reasons for the recommendation.

The Executive Management Team member may ask questions of the student and any witnesses who are called, and will then consider whether to allow or dismiss the appeal. Witnesses will not normally be asked to attend except in relation to any relevant new evidence which has come to light since the final stage meeting.

If the appeal is allowed, the Executive Management Team member may decide that disciplinary action less than that recommended should be taken, including a shorter period of suspension. The Executive Management Team member may also decide that no further disciplinary action should be taken.

Within 5 working days of the appeal meeting, the final decision will be confirmed in writing to the student.

With the exception of the time allowed for making an appeal, time periods stated above are for guidance and may be varied by the College if it is not practicable to adhere to them. Documents sent by recorded delivery will be deemed to be received within 48 hours of posting.

Where a student is permanently excluded, the Chair of the Final Stage meeting must inform the Student Programmes Office in order that it can be flagged on the system.

2.4 Students under 18 /Sponsored Students

If a student under 18 years of age goes through the disciplinary process, with the exception of a verbal warning or a Cause for Concern Stage 1 a parent or guardian will be invited to attend any disciplinary or appeal meetings. If a student under the age of 18 is given a formal written warning or permanently excluded, or suspended from the College, a parent or guardian will be informed in writing of the outcome (this correspondence may be through email or letter).

If a student is being sponsored at the College by an employer and is subject to any disciplinary meetings, the employer and the training coordinator will be informed within 5 working days.

2.5 Criminal Offences

Where any member of staff believes that a student may have committed a criminal offence, the College may refer the matter to the Police and may continue proceedings under this procedure or suspend the student pending the outcome of Police enquiries and any charges which may be brought against the student. The College reserves the right to recommence proceedings when the results of any Police enquiries are known.

This strategy and procedure will be reviewed annually in line with College policy.

All disciplinary actions will be recorded on ProMonitor and will be held on the student's digital file for inspection at any time.

All formal disciplinary records will be logged on a central disciplinary database.

Related Policies and Procedures
Student Entitlement Policy
Equality, Diversity and Inclusion Policy
Student Acceptable Use Policy
Talkback
Data Protection and Information Systems Policy
Safeguarding and Child Protection Policy
Student Assessment Policy
Student Agreement and Code of Conduct
Capability to Study Process

Approved by: Karen Morris and Carly Rosser-Mayo
Date for Review: September 2022

Overview of the process:

- Students are required to attend all timetabled lessons and complete CPD hours.
- Students should avoid making personal appointments during their college day.
- Absence details should be emailed to the Academic Tutor and Student Mentor. Please give reason for absence and expected return date.
- Upon satisfactory completion of any action plan, students will be released from that stage of the process.
- The college reserves the right to re-suspend a student prior to, during or directly after any Final Stage meeting should additional information become available and further time is needed to gather evidence.
- Students have the right to appeal against a recommendation to exclude outcome. However, an appeal will only be considered if **new evidence** to support the appeal is provided.
- Excluded students may re-apply for the following academic year but **MUST** meet with a Head of School prior to application consideration.
- All disciplinary outcomes are recorded centrally.
- Incidents of gross misconduct may result in suspension from college. Gross misconduct and significant disruptive events will be heard at a Final Stage Meeting and do not progress through the verbal and written warning stages
- The college reserves the right to permanently exclude any student who is perceived to be a danger to anyone else in the college. In these circumstances any appeal will be progressed via an on-line meeting or written documents.
- Meetings will, where possible, be positive with the aim to get students back on-track to achieve.
- Students withdrawn via Capability to Study will be offered a supportive interview prior to enrolling the following academic year

	Those involved	Reasons
Probationary period	Curriculum tutors Management team	All learners are on a probation period for the first six weeks. If they fail to meet expectations (attendance, engagement, completion of work and behaviour expectations) they may lose their place on the course.
Attendance	Curriculum teams Curriculum Admin Student Mentors/ TC	A discussion should take place with Students in on track sessions where they have attendance between 86-90% Where attendance falls below 85%, parents will be informed by letter and the Cause for Concern disciplinary process will be initiated
Informal Intervention	All staff	Relatively minor discretions that might require a reminder (ID badges, swearing, leaving rubbish etc)
Verbal warnings	Student Mentor / TC Student	Verbal warning delivered by Student Mentor/Training Co-ordinator – Conversation logged by Student Mentor/Training Co-ordinator in the 'Manage Learner Meetings' section of ProMonitor.
Cause for Concern 1 (CC1)	Student Mentor/TC Student	Below 85% attendance. Failure to meet academic deadline/course requirements. Not meeting college values

Behaviour and course concerns		<p><i>Outcome: Action Plan; (or CC2 meeting if student does not attend this meeting)</i></p> <p>NOTE: Parent not required to attend this meeting but must be aware of the meeting and receive a copy of the signed Action Plan</p>
Cause for Concern 2 (CC2) Behaviour and course concerns	Curriculum Rep Student Mentor/TC Student Parent /Employer	<p>Unmet targets from CC1 and/or further issues</p> <p><i>Outcome: Action Plan; (or CC3 meeting if student does not attend this meeting)</i></p>
Cause for Concern 3 (CC3) Behaviour and course concerns	Head of School/ Deputy/School Leader (Chair) Student Mentor (or Student Mentor Co-ordinator)/ TC Student Parent/Employer Social care worker (if allocated)	<p>Unmet targets from CC2 and/or further issues</p> <p><i>Outcome: Action Plan;(or final stage disciplinary (FSD) if student does not attend this meeting)</i></p>
Final stage (FSD) Behaviour and course concerns	Safeguarding (chair) Head of School/ Deputy/School Leader Student Parent Social care worker (if allocated) Student Mentor (or Student Mentor Co-ordinator) - if required For students with an EHCP, a member of the SEND Transitions team	<p>Gross misconduct and/or Not met previous targets</p> <p><i>Outcome: Recommend to exclude or Action Plan and return to Cause for Concern stage 3.</i></p>

Appendix 1

What constitutes Gross Misconduct?

Gross misconduct is dealt with through the formal disciplinary process. These behaviours include **but are not limited to**:

- Violent, dangerous or threatening conduct.
- Possession of dangerous materials or weapons.
- Theft or unauthorised possession of any property or facilities belonging to the College, or to any employee or student.
- Serious damage deliberately sustained to College property.
- Bribery or corruption.
- Serious negligence/incompetence which causes unacceptable loss, damage or injury.
- Substance misuse or supply of illegal substances to others.
- Serious incapability and/or misconduct as a result of being intoxicated by reason of alcohol or illegal drugs.
- Violation of the College's rules and procedures concerning health and safety.
- Unlawful discrimination, intimidation, bullying or harassment including sexual harassment and hate crimes
- A criminal offence (whether it is committed during or outside college) which may adversely affect the College's reputation, other students or staff.
- Deliberately accessing internet sites containing pornographic, offensive, racist, extremist or obscene material.
- Any action which puts the health and safety of others at risk.

These can be escalated immediately to the Final Stage Meeting. Students should be suspended pending an investigation. Without tangible evidence, staff should ensure statements are collected before deciding what stage to instigate. A written warning may be more appropriate in some instances.