Student Disciplinary, Suspension and Resolution Procedures

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STUDENT DISCIPLINARY, SUSPENSION AND RESOLUTION PROCEDURES

1. PURPOSE

The purpose of this policy is to set out the College's approach to managing student discipline in a fair, supportive, consistent and transparent way.

The College expects high standards of conduct, attendance, behaviour and academic performance from all students, while recognising that students may require support to meet these expectations.

The College is committed to promoting an inclusive, safe and respectful environment for all.

Help and encourage employees to achieve and maintain the required standards of conduct

The College adopts a trauma-informed and relational approach to behaviour management. This means that where appropriate, staff will seek to understand factors that may be contributing to a student's behaviour, including trauma, adverse childhood experiences, mental health needs or significant life events. Whilst these factors will be considered when determining support and reasonable adjustments, they do not remove a student's responsibility to meet the standards of behaviour, conduct and respect expected by the College community.

INTRODUCTION

1.1 The College expects all students to behave in a way that demonstrates high standards of personal and group discipline and respect for others, whilst creating a safe and supportive learning environment. The Learning Agreement, Student Code of Conduct and Student Handbook provide details of the College's expectations of students. A student who does not meet the required standards of behaviour is liable to disciplinary action, suspension or exclusion in sufficiently serious cases. By signing the Learning Agreement at enrolment students are agreeing to abide by the Student Code of Conduct and comply with College's rules, regulations and policies, including these procedures.

1.2 It is recognised that for minor breaches of conduct, less formal intervention procedures should be followed, whereby a member of staff discusses the matter with the student to resolve the issue. The college will recognise and consider any traumatic experiences which can weigh on student lives, looking to implement strategies to alleviate the impact of trauma on learning wherever appropriate. These instances will be recorded on ProMonitor.

1.3 These procedures are in place to help and encourage students to achieve and maintain acceptable standards of conduct and to ensure consistent and fair treatment in disciplinary action taken in response to allegations of unacceptable conduct or behaviour.

1.4 The College has the right to manage its reputation and acts carried out by students that may bring the College into disrepute will be reviewed and investigated through the disciplinary process.

2. SCOPE

2.1 These procedures apply to full-time, part-time students and apprentices when they are at the College, in the vicinity of the College or on a college organised trip, placement or event or when studying or attending a college event on-line. The procedures also apply when behaviour outside of college has a detrimental impact on others from the College e.g. Cyber bullying or negative interactions in online chatrooms forums. This includes behaviour occurring through personal social media accounts, messaging platforms, online gaming environments, artificial intelligence platforms or any other digital communication method where such behaviour has the potential to impact members of the College community, College operations or the College's reputation. The College reserves the right to proceed directly to any stage of the disciplinary procedure where the nature and seriousness of the behaviour warrant it

2.2 These procedures apply to Higher Education students who are also subject to the partner institution's procedures.

3. GENERAL PRINCIPLES

3.1

- Safeguard the interests of all students and staff.
- Ensure a fair and consistent approach.
- Ensure responses are proportionate, taking account of context, safeguarding information, known vulnerabilities, previous interventions and the impact of the behaviour on others.
- No disciplinary action will be taken against a student until the circumstances have been investigated but a student may be suspended or asked not to attend whilst the investigation is carried out.
- A student will be advised of the reason for the disciplinary meeting.
- They will hear the evidence against him/her/them.
- They will be given opportunity to state their case.
- Students will be given a reasonable opportunity to explain any circumstances that may have contributed to the concerns being considered.
- 16-18 year old students can be accompanied by a parent/guardian or carer at Stages 2 and 3 and relevant parties will be notified of these meetings in advance.
- Parents/guardians or carers will be informed of the outcome by telephone, e-mail or letter at Stages 1 and 2 and by telephone and letter at Stage 3. The outcome of a Stage 3 meeting will not be communicated at the meeting to allow time for discussion of the facts presented.
- Adult students (aged 19+) can be accompanied by a friend, relative or designated member of the support staff.

- If a student fails to attend a disciplinary meeting, the meeting may still take place and a decision made in their absence if all efforts to contact them have been exhausted.
- If the disciplinary process results in a warning about unacceptable behaviour, attendance or academic performance, then relevant support will be offered to help the student reach the required standards. The student will be expected to engage fully with the support offer.
- For 14-16 year old students on school links programmes or sampling days, any disciplinary action will be taken in conjunction with the relevant partner high school.
- Students with a recognised learning difficulty or disability will have this given consideration to during any disciplinary process
- Consideration will also be given to any known safeguarding concerns, mental health needs, care experience, young carer responsibilities, involvement with external agencies or other vulnerabilities where relevant and appropriate.
- At every stage of the disciplinary process, staff should be aware of the needs of students who may be disadvantaged by a formal and written process.
- Staff must consider individual needs of such students and adapt the process with advice from the Additional Learning Support Team, so that everyone is treated fairly and equitably.
- The Additional Learning Support Team should also be consulted when deciding a student's ability to understand the College Code of Conduct and Student Handbook and in ensuring all reasonable support measures have been put in place prior to the disciplinary process.
- All stages of the formal procedure will be recorded on ProMonitor. Each stage will be recorded as a meeting with a reason and clear targets will be recorded and dated for review. These will be visible to both staff and students
- The outcomes from stage 1 and stage 2 meetings will normally stay on a student's record for 1 year. They may be closed if a student meets the targets set as part of the process but will remain visible should the behaviour be repeated.
- Stage 3 meetings may remain on a student's record permanently and could affect their ability to progress within the College or reapply in the future. If a student is excluded, they will also be advised to submit a written request, either by letter or email to the relevant Head of Studies or Head of HE. An interview will be required before any decision is made regarding re-entry to the College.
- The Head of Studies will make termly reports about the numbers of students receiving Stage 1 - 3 meetings. This will be part of the quality process within the College.
- If a student wishes to meet an impartial adviser, they may meet with a Head of Studies or Student Liaison officer who is not involved in the disciplinary action or their department.
- The College recognises that behaviour may sometimes be influenced by trauma, adversity, mental health difficulties or other significant experiences. Staff will seek to respond in a manner that is supportive, proportionate and trauma-informed, whilst maintaining clear expectations and ensuring the safety, wellbeing and dignity of staff and students. Consideration of trauma does not remove accountability for behaviour.

The College may use delegated authority arrangements, nominated managers and multidisciplinary case discussions to ensure that disciplinary processes remain timely, consistent and effective whilst maintaining appropriate oversight.

The College recognises that behaviour concerns may sometimes indicate unmet safeguarding, welfare or wellbeing needs. Where appropriate, disciplinary concerns may be considered alongside safeguarding processes, early help interventions, mental health support, risk management arrangements or Fitness to Study procedures.

In determining the most appropriate course of action, the College will consider:

- the nature and seriousness of the behaviour
- any actual or potential harm caused
- the student's previous conduct
- any known safeguarding or welfare concerns
- reasonable adjustments already implemented
- the student's willingness to engage with support and improvement strategies

Wherever disciplinary action is taken, all stages of the procedures should be completed as quickly as possible, allowing time for investigations where necessary.

The College will take account of students' individual needs, including those arising from learning difficulties, disabilities, or language barriers, when applying this policy.

Inclusion, Reasonable Adjustment & Fairness

The College will provide appropriate support for students with:

- Recognised learning difficulties and disabilities.
- Literacy or language difficulties.
- Neurodiversity or mental health needs.
- Other inclusion needs that may affect engagement with this process.

Reasonable adjustments may include:

- Adaptation of language in written communication.
- Provision of alternative formats or interpretation.
- Additional support to ensure understanding at each stage.
- Consideration of the student's capacity to understand and follow College expectations when determining appropriate outcomes.

Fitness to Study

In some cases, student behaviour may raise concerns about their fitness to study.

Fitness to Study cases will be reviewed by the Head of Student Services and Assistant Principal to determine appropriate action. This may run alongside, or as an alternative to, the disciplinary process.

4. FORMAL WARNING PROCEDURES AND THE RIGHT START PERIOD

4.1 The Right Start Period (for learners on full-time Study Programmes)

The College recognises that the transition into further education may present challenges for some students who will need to adapt to a new environment and the expectations the College has set for them. All students on Study Programmes will follow a programme of Induction during the first six weeks which will help them settle into both College life and the requirements for their course. This is the 'Right Start Period.'

During this period, the College is committed to providing appropriate support and guidance to enable students to complete this Right Start Period effectively. However, where a student is unable to adapt to the performance related expectations of the College, the College will initiate a process of 'Right Start Reviews.'

Support during the Right Start Period may include coaching, mentoring, attendance interventions, wellbeing support, additional learning support, restorative conversations and other reasonable strategies designed to help students successfully transition into college life.

Performance related issues include the following examples:

Performance related issues	**Right Start Reviews:**	
• Attendance on any part of a study programme (e.g. vocational/ academic course, maths, English, tutorial)) • Punctuality • Arriving at lessons/workshops without the appropriate equipment/PPE (including student ID badges) • Engagement in lessons impacting on attainment • Completion/non-completion of assessment impacting on attainment	Right Start Review 1: Right Start Review 2:	Personal Tutor/Course Leader Head/Deputy Head of Department

Failure to meet the performance related targets set out within these reviews may result in students being removed from courses without the need to follow the full stages of the disciplinary policy (Stages 1-2). Following failure to achieve the targets set out in the

Right Start Review 2, a withdrawal can only be carried out by a Head of Department in agreement with the relevant Assistant Principal. For any students with an EHCP or receiving additional learning support, the Learning Support and Heads of Study teams must be involved in the decision making process to ensure that all reasonable adjustments have been made and that a trauma based approach has been used. The College's FAB Futures team must be notified of any withdrawal so that additional careers advice and guidance can be provided.

If during the Right Start Period, there are concerns raised relating to behaviour and conduct, Stage 1, Stage 2 or Stage 3 can be initiated immediately.

Normally procedures will be followed in the order of the stages set out below. However, incidents of a serious nature may be brought into the procedure at any stage. The reasons for the warning, the targets set for improvement, and any time limits will be made available to the student and kept in the student's College records.
Parents/guardians of students aged 16-18 will be informed of the warning. Other College procedures may supersede or be used in conjunction with the Disciplinary Procedure. If this occurs, the student will be informed about the procedure. The college fosters acknowledgement of trauma in relation to those disproportionally disciplined and therefore takes an evidence and trauma based approach.

4.2 **Stage 1 – First Formal Meeting**.

If a student's behaviour or academic performance* does not meet the required standards, the student will normally be given a First Formal Warning. This could relate to a failure to fulfil a commitment to college by, for example, regular lateness, poor attendance, disruptive behaviour, failure to complete and submit work on time, or disrespectful behaviour towards staff or peers.

(academic performance beyond the Right Start Period for full-time Study Programme students)*

A first formal warning will normally be issued by the Deputy Head of Department or designated trained nominee.

Support offered and recorded.

14-16 partner schools and/or Next of Kin informed

Wherever appropriate, Stage 1 interventions should seek to identify and address underlying causes of concern through supportive and restorative approaches before behaviour escalates further. This may include referral to appropriate support services, agreed action plans or targeted pastoral intervention.

4.3 **Stage 2 – Second Formal Meeting**

If a student who has received a first formal warning fails to meet the set targets, repeats the issues for which they received the first formal warning or departs from the

College's standards in other aspects of their behaviour or academic performance, they will normally be given a Second Formal Warning.

A second formal warning will normally be issued by a Head of Studies Manager, Head of Department (16-18 and Adult) or Higher Education or Professional Honours Programme Manager or designated trained nominee; in all cases the decision is to be discussed and agreed by both the corresponding Head of Studies and curriculum Head of Department.

Prior to issuing a Stage 2 warning, managers should normally satisfy themselves that appropriate support, reasonable adjustments and interventions have been considered and recorded, unless the seriousness of the matter makes this inappropriate.

4.4 **Stage 3 – Final Formal Meeting**

A Final Formal Warning is extremely serious and will normally be given if:

1. There is no significant improvement in behaviour or no achievement of the targets set at the Second Formal Warning

OR

2. The student's actions are so serious – Gross Misconduct, for example – that the student is taken straight to the final stage without having to go through stages 1 and 2.

This will be a formal disciplinary meeting, normally with an Assistant Principal or Designated Manager or Higher Education Programme Manager (HE students only). The outcome of this meeting will not be given in the meeting to allow time to reflect and consider all the facts presented and a decision will be provided by telephone and in writing to the student plus parent/guardian if the student is under 18 and it is appropriate to do so.

Following a risk assessment, it may be deemed inappropriate for reasons of safeguarding or health & safety, for a suspended student to re-enter College in person. Under these circumstances an alternative method of communication that ensures an opportunity to respond will be provided for consideration at the meeting.

Students can be excluded by the panel as an outcome from a Final Formal Meeting

In determining an outcome, the panel will consider both aggravating and mitigating factors, together with evidence of engagement with support, accountability, risk reduction and any relevant safeguarding information.

4.5 Examples of incidents that can lead to suspension or straight to a Final Formal Meeting may include, but are not limited to, the following:

- Being in possession of a weapon or an item which is or could be used as a weapon.

- Bullying including any form of communication, including by text, email, social media or via online platforms.
- Filming or photographing student or staff using their image inappropriately; including the use of Ai
- Stalking or harassment (including sexual)
- threatening and/or intimidating behaviour, fighting or assault
- foul and abusive language used, verbal or other.
- being under the influence of alcohol, substances or drugs
- having alcohol or illegal substances, or traces of substances on or from their person
- use, distributing or sale of legal highs or illegal substances
- endangering the Health and Safety of others
- vaping outside of the designated smoking areas
- offensive abuse of I.T. or internet facilities
- offensive or sexual online behaviour
- discrimination of any kind, including racial, homophobic and disability
- cheating, plagiarism; including the use of Ai
- forgery and gambling
- being investigated or charged with a serious criminal offence whilst studying at College
- failure to disclose a serious offence
- Vandalism
- Persistent behaviours not in keeping in line with the student code of conduct
- Deliberate misuse of artificial intelligence, digital technology or online platforms in a manner that causes harm, harassment, intimidation, academic misconduct or reputational damage.
- Behaviour that deliberately infringes the dignity, safety or rights of others, including behaviour relating to protected characteristics under the Equality Act 2010.
- Sharing confidential, disciplinary or safeguarding information relating to another student or member of staff without authorisation.
- Behaviour that constitutes bullying, harassment, victimisation or discrimination towards another person on the basis of any protected characteristic, perceived characteristic or personal belief.

5 PARENTS / GUARDIANS / CARERS

5.1 The College reserves the right to restrict conversations with parents, guardians and carers until the scheduled meeting time and date. This is to ensure that events are investigated thoroughly and impartially before the meeting.

5.2 It is expected that parents/guardians and carers support the College to raise the expectations for and of the student, through positive engagement and support for the disciplinary process.

6. EXCLUSION

6.1 Should the student continue to fail to meet the targets to comply with the conditions set or if there is any further incident, or the incident is deemed serious enough at the Stage 3 meeting, the student will not be given a further warning but will normally be permanently excluded from college. If an individual incident is deemed to be of a serious nature and the students' actions are seen as Serious Misconduct or dangerous, then previous warnings are not required in order to exclude; following an investigation and suspension hearing. Exclusions will last for 12 months from the incident taking place other than by exception and are decided by a panel which will include a Vice Principal and Assistant Principal.

Where a student has been excluded and wishes to return in a different academic year, they should write a letter and/or e-mail and send it to a Head of Studies or Head of HE and will always be required to have an interview before they can access a place at the College.

Where exclusion is being considered, the College will ensure that all relevant information, including safeguarding concerns, reasonable adjustments, support provided and risk assessments, has been considered as part of the decision-making process.

6.2 Students who are progressing within college and are subject to a 6 week contract who will proceed straight to a final stage 3 meeting or exclusion if they fail to meet the requirements outlined within the contract.

Where a student has been excluded and wishes to return in a future academic year, they must submit a written request by letter or email to the relevant Head of Studies or Head of HE. An interview will then be arranged to determine whether a place can be offered. This decision will be based on the seriousness of the incident(s) that led to the exclusion and evidence of personal development during the period of exclusion (such as further study, employment, or other constructive activity).

Exclusion will normally be considered a last resort where support, intervention and disciplinary measures have not resulted in sufficient improvement, or where the seriousness of the behaviour makes continued attendance inappropriate.

7. CONTACT WITH POLICE

7.1 Where staff suspect a student of committing a criminal offence or being involved in criminal activity, the College reserve the right to report the matter to the police. The College will always comply with its lawful obligation to help investigate alleged criminal activity

8. SUSPENSION PROCEDURE

8.1 In certain circumstances, the student may be required to leave the premises immediately. This will be authorised by the Head of Studies or a designated Head of Department, in liaison with a Senior Manager, who may involve a Site Supervisors or the police. The student is not allowed to enter College during the period of the

suspension and any attempt to enter the College during this period will be regarded as a serious breach of discipline. For 16-19 students or vulnerable adults, reasonable steps will be taken to ensure safe transport home or parental contact where required.

8.2 The parents of students aged 16-18 will normally be informed of the suspension and policy immediately or as soon as is practicable by telephone. A stage 2 or stage 3 formal disciplinary meeting will normally be arranged within 5 working days of the suspension. A student who is facing possible expulsion will normally be suspended until the formal stage 3 disciplinary meeting is held

Students must not share suspension or disciplinary information on social media or on platforms while investigations are ongoing.

Suspension is a neutral act while 1) the behaviours are explored and a resolution sought and considered and 2) the incident is investigated, during which the student must not enter any college premises and may asked to not discuss the matter(s) with others involved during the process. Should these, and any other reasonable condition attached be breached, this may be a serious breach of discipline and could be subject to further sanctions.

The College recognises that suspension can be a stressful experience. During periods of suspension, reasonable efforts will be made to maintain communication and provide information regarding support services.

9. THE APPEALS PROCEDURE

9.1 Stage 1 and 2

9.2 Students are unable to appeal against the outcome of Stage 1 and Stage 2 meetings.

9.3 Right Start Review 3 and Stage 3

9.4 At the Right Start Review 3 and at Stage 3, students can make a formal appeal against a decision if they have information or evidence that they do not think was presented at the original Stage 3 meeting or if they feel that the college procedure has not been followed.

9.5

The student must write a letter detailing the reason for the appeal within 5 days of receiving the outcome of a Stage 3 meeting. This should be addressed to the Vice Principal for Curriculum.

9.6 The appeal will be reviewed by a nominated member of the Executive team.

9.7 Following an appeal being considered and concluded by a nominated member of the

Executive team, the student will be notified in writing, with reasons, of the decision made on their appeal. This will normally be within 10 working days. This decision is final and there will be no further right of appeal within the College.

9.8 For Further Education students only – At the end of this process students will be informed of the right to appeal to the Education and Skills Funding Agency

9.9 For Higher Education Students Only – At the end of this process students will be informed of the right to appeal to the Office for Students within 12 months of the outcome.

Confidentiality

Disciplinary records will be handled in line with college data protection and GDPR policies.

Information will only be shared on a need-to-know basis.

Records will be retained in accordance with the College's Data Protection Policy.

10. OTHER ASSOCIATED POLICIES AND DOCUMENTS

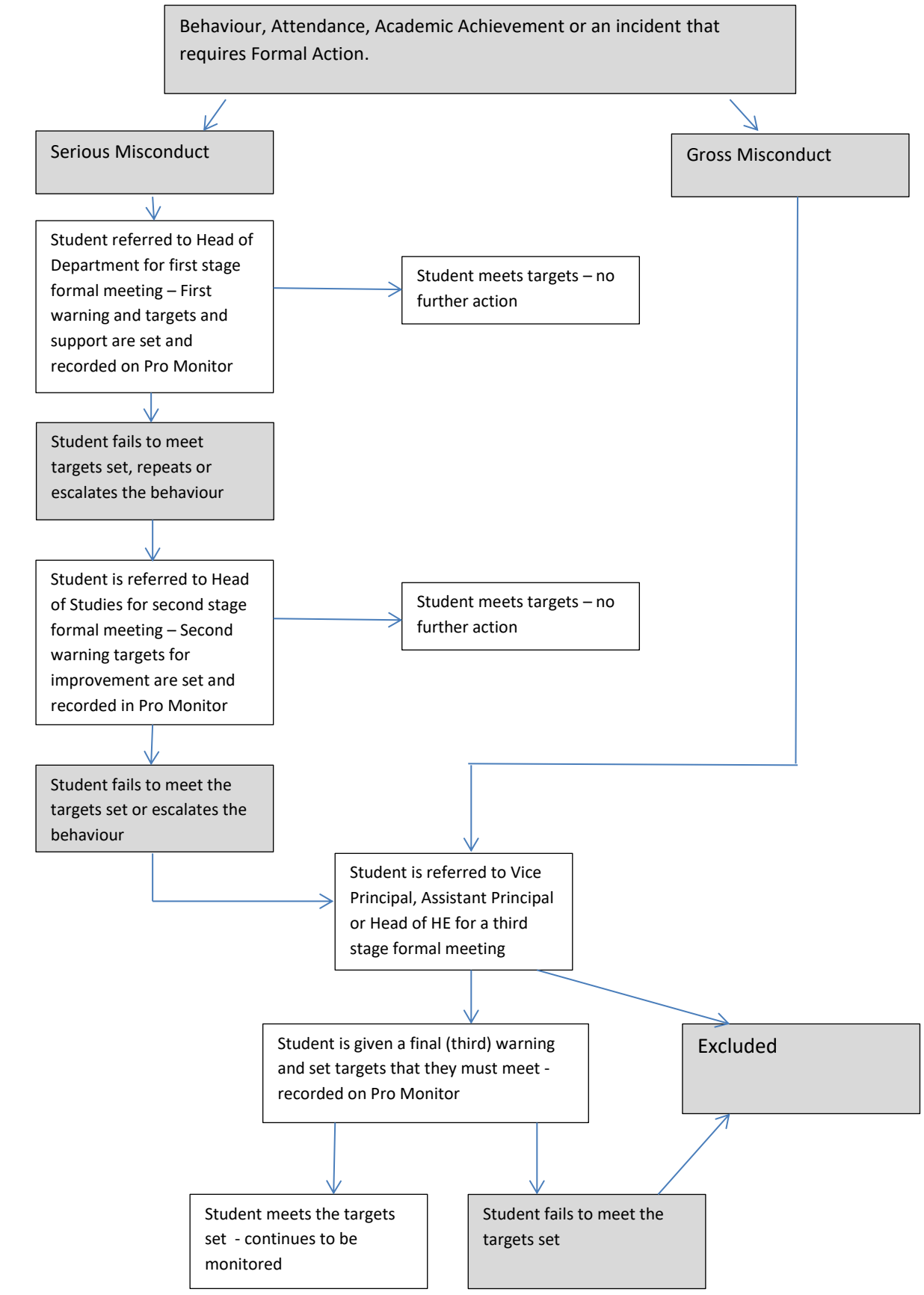
10.1 This procedure is also linked to the following policies, procedures and documents:

- The Learning Agreement
- The Student Handbook including the Student Code of Conduct
- The Fitness to Study Procedure
- Keeping Children Safe in Education
- Safeguarding, Child Protection and Early Help Policy
- Safeguarding Vulnerable Adults Policy
- Equality and Diversity Policy
- The Student ICT Acceptable Use Policy
- Higher Education Academic Misconduct Procedure

The College may utilise restorative approaches at any stage of this procedure where appropriate and where all parties are willing to participate. Restorative approaches are intended to support understanding, accountability, relationship repair and positive future behaviour and do not replace disciplinary action where disciplinary action is required.

11. APPENDICES

11.1 THE DISCIPLINARY PROCEDURE FLOWCHART



* Alternative method of communication, where a meeting is deemed unsafe in person for reasons outlined in section 4.5