



**Buckinghamshire  
College Group**

## **Student Disciplinary Procedure**

**2018-2019**

Responsible Officer:	Executive Director Student Support and Services
Date Reviewed:	August 2018
Review Date:	August 2020
Procedure Available:	Intranet
Summary:	Cloud: Students - Information and Support
Authorised by:	Executive

## **Introduction**

The Student Disciplinary Procedure aims to ensure that all students are able to study and achieve success, free from interruption, and encourage positive behaviour and responsibility for learning.

This procedure applies to all students on all programmes including; Study Programmes across all ages from 14 years old, Apprenticeships, 14-16 Increasing Flexibility (schools), Adult Programmes and Higher Education. University Partner Institution procedure will be referred to where necessary.

### **All our students are entitled to:**

- High quality training and education that meets their needs and enables them to enjoy their learning; be safe and healthy and make a positive contribution to the College and the wider community
- Learn in an environment that is conducive to learning and free from interruption and disruption
- Learn in an environment free from bullying, ridicule or discrimination
- Have their voices heard, to be listened to and to know where to go to share their concerns

### **Our students have an individual and collective responsibility to:**

- Come to the College to learn, be fully prepared and work to the best of their ability
- Be punctual to all classes and activities including work experience and employment forming part of an apprenticeship
- Achieve 100% attendance
- Show through their behaviour and their language, respect and consideration for all staff, other students and visitors
- Complete and hand work in that meets the requirements of the course and do this on time
- Take proper care of books, equipment and the College environment
- Never use technology as an instrument for bullying or harassment directed against students and staff
- Always wear and be able to produce a valid College ID badge
- Work safely and ensure that their behaviour does not compromise the safety of others

### **Teachers have the responsibility to:**

- Respect and value the students they teach
- Be committed and have high expectations and standards of students' learning
- Provide stimulating lessons where students are actively involved

- Encourage good behaviour and respect for others
- Prevent all forms of bullying amongst students
- Keep their students' safe
- Seek support, advice and training about how to promote positive behaviour
- Keep students and parents (where appropriate) informed of their progress
- Work as part of a team with other teachers and support staff
- Understand and adhere to the College Student Disciplinary Procedures when appropriate

### **Implementation of the Procedure**

The Procedure is divided into 3 sections:

- 1) Procedures for dealing with student disciplinary under student participation and academic progress
- 2) Procedures for dealing with student disciplinary under student misconduct
- 3) Procedures for dealing with student disciplinary under serious and single acts of student misconduct

It is vital that at all stages of the disciplinary process accurate records are maintained and that the standard Student Disciplinary letter templates are used (see appendices).

For students, aged 14-16 who are attending the College from schools on an Increasing Flexibility programme, the Student Disciplinary process will be implemented in liaison with the individual school.

## **Section 1: Procedures for dealing with student disciplinary under student participation and academic progress**

This procedure should only be used once all normal classroom management measures have been exhausted:

### **1.1 Informal Stage – Strike 1, 2, 3 Informal Warnings**

A student whose attendance, punctuality or progress fails to meet the required standard will be reported to his/her Programme Leader or training advisor who will discuss and agree with him/her how the problem will be resolved.

At this point the student will be reminded of the disciplinary procedure and issued with a 'Strike 1' informal verbal warning and set targets and deadlines for improvement.\*. These deadlines should be short (no longer than two weeks) and followed up by the programme leader. The student then has two further opportunities to improve their behaviour (strike 2 and 3) before continuing to the formal disciplinary procedures. A student that reaches strike 3 should be informed that they will now be placed on formal disciplinary procedures. Parents and employers should be involved at the appropriate stage. This should be recorded on the curriculum area At Risk database to be monitored by the Curriculum Manager.

Parents/carer of students 14-16 on full time Study Programmes **must** be informed at every stage of any disciplinary action.

Notes for strikes will be recorded by the Curriculum Administrator and kept on the central database file. These will be valid for the academic year in which they are issued.

### **1.2 Formal Stage 1 - Verbal Warning**

If following the informal verbal warnings (strike 1,2,3) a student continues to fail to meet the required standard a formal verbal warning will be issued by the Programme Leader with time-specified targets for improvement (timescale to be no more than 2 weeks).\*

At this stage the student must be informed of the consequences for non-improvement including the possibility of withdrawal from the programme. The student's parents/carers, school (14-16) and/or employers (where applicable) will be informed in writing that a formal verbal warning has been issued.

Notes for formal verbal warnings will be recorded by the Curriculum Administrator and kept on the central database file. This will be valid for the academic year in which they are issued.

### **1.3 Formal Stage 2 - Written Warning**

A student who consistently fails to meet the required standard will be interviewed by the Curriculum Manager and a written warning issued. Parents will be encouraged to attend this meeting. The warning will include a summary of the standards not being achieved, the agreed actions and specify a time-scale (timescale to be no more than 4 weeks) within which these improvements should be made.\* A follow up monitoring and review meeting should be arranged.

**\* A note of the targets and deadlines for improvement should be recorded on the student's eILP within Pro-monitor**

A letter summarising these arrangements will be sent to the student, the student's parents/carers, school (14-16) and/or employers (where applicable).

A copy of the written warning will be placed on the student's file and a note entered by the Curriculum Administrator on to the central database. This will be valid for the duration of time the student attends College.

#### **1.4 Formal Stage 3 - Final Written Warning**

A student who continues to fail to meet the required standard will be interviewed by the Curriculum Manager who will issue a final written warning. Parents will be encouraged to attend this meeting. The warning will include a summary of the standards not being achieved, the agreed actions and the timescale in which these improvements should be made (timescale to be no more than 4 weeks).\* Students should be reminded at the meeting that failure to achieve the improvements may lead to withdrawal from the course.

A letter summarising these arrangements will be sent to the student, the student's parents/carers, school (14-16) and/or employers (where applicable).

A copy of the final written warning will be placed on the student's file and a note entered on to the central database by the Curriculum Administrator. This will be valid for the duration of time the student attends College.

#### **1.5 Formal Stage 4 - Possible Withdrawal from Course**

If, following a final written warning, the student continues to fail to meet the required standard; he/she will be interviewed by the Faculty Director and Curriculum Manager and if appropriate Head of Student Services/Student Support. Prior to the interview, a letter will be sent to the parents, carer, or employer (as applicable) summarising the reasons for the interview, the possible outcomes of the interview, and encouraging them to attend this meeting.

Following the interview the Faculty Director may extend the time-scale for improvement\* outlined in the final formal written warning letter or recommend immediate withdrawal from the course in consultation with the Vice Principal Learning and Quality.

The student, the student's parents/carers, school (14-16) and/or employers (where applicable) will be informed in writing of the outcome of the interview.

The Principal will be informed immediately of a decision to withdraw a student through the Student Disciplinary Procedure.

#### **1.6 Rights and Appeals**

A decision to withdraw a student from their course through the Student Disciplinary Procedure shall be subject to a right of appeal. The student should write to the Principal, within 10 working days of the decision to withdraw from the course, stating the reasons for appeal. The Principal will review all evidence submitted during the investigation. The Principal will make the final decision as to whether the student will be withdrawn from the course. The decision of the Principal will be final.

**\* A note of the targets and deadlines for improvement should be recorded on the student's eILP**

#### **1.7 Future and Subsequent Applications**

A student who has been withdrawn from a course through the Student Disciplinary Procedure may apply for a future course at the College but will be required to be interviewed by the Vice Principal Learning and Quality prior to any offer being received and may be subject to additional conditions. Any student returning to College will automatically be monitored as 'At Risk' within the Student Services Team.

### **Section 2 – Procedures for dealing with student misconduct**

The College has a set of values that it expects students, staff and visitors to adhere to at all times. These are:

- Aspire to achieve excellence
- We will work together as one College – One Team
- Respect each other and value differences in a culture of openness
- Be energetic, innovative and have a passion for learning
- Students come first

Student misconduct normally occurs when these values are ignored or disregarded.

The student misconduct disciplinary procedures will be used when a student:

- Behaves in a way that disrupts any activity or antagonises other members of the College community
- Behaves in a way that disrupts the activity of an employer providing work placement or apprenticeship training
- Damages the property of the College, its staff, students or other users
- Behaves in an offensive manner towards other College users
- Is involved in instances of harassment, bullying (including cyber bullying or abuse)
- Fails to disclose any criminal offence
- Commits a criminal offence whilst a college student
- Drives without due care and attention whilst on College property
- Behaves in a way that compromises their and/or others safety
- Misuses or fails to produce a valid College ID card
- Refuses to wear the college lanyard
- Fails to adhere to the College's Smoking Policy\*

### **2.1 Formal Stage 1 – Verbal Warning**

A student whose conduct fails to meet the required standard will be reported to his/her Programme Leader or Training Advisor who will discuss and agree the standards of conduct required. The student, the student's parents/carers, school (14-16) and/or employers (where applicable) will be informed in writing that a verbal warning has been issued. At this stage the student will be reminded of the stages of the Student Disciplinary Procedures and possible consequences including possible exclusion from the programme. A follow up monitoring and review meeting should be arranged. Parents/carer of students 14-16 on full time Study Programmes **must** be informed at every stage of any disciplinary action.

### **2.2 Formal Stage 2 – Written Warning**

A student whose conduct consistently fails to meet the required standard will be interviewed by the Curriculum Manager and a written warning given. The warning will specify the standards of conduct not being achieved with clear timescales for improvement (timescale to be no more than four weeks) within which improvements should be made. A follow up monitoring and review meeting should be arranged. A letter summarising these arrangements will be sent to the student, the student's parents/carers, school (14-16) and/or employers (where applicable). A copy of the letter will be placed on the student's file and a note entered onto the central database by the Curriculum Administrator. This warning will be valid for the duration of time the student attends College.

### **2.3 Formal Stage 3 – Final Written Warning**

A student whose conduct continues to fail to meet the required standard will be interviewed by the Curriculum Manager who will issue a final written warning.

Parents/carers will be encouraged to attend this meeting. The warning will include a summary of standards not being achieved, the agreed actions and the timescale in which improvements should be made. The student should be reminded that failure to improve the required conduct may result in permanent exclusion from the College.

A letter summarising these arrangements will be sent to the student, the student's parents/carers, school (14-16) and/or employers (where applicable).

A copy of the final written warning will be placed on the student's file and a note entered onto the central database by the Curriculum Administrator. This warning will be valid for the duration of time that the student attends College.

## **2.4 Formal Stage 4 – Possible Permanent Exclusion**

If following a final written warning the student's conduct fails to meet the required standard, he/she will be interviewed by the Faculty Director. Prior to the interview, a letter will be sent to the student, the student's parents/carer and/or employer summarising the reasons for interview and encouraging them to attend this meeting. Following the interview the Faculty Director may either extend the timescale for improvement or recommend to the Principal permanent exclusion. The student, the student's parents/carers, school (14-16) and/or employers (where applicable) will be informed of the outcome of the interview in writing.

The Principal will be informed immediately of a decision to exclude a student permanently.

## **2.5 Rights and Appeals**

A decision to exclude a student permanently shall be subject to a right of appeal. The student should write to the Principal within 10 working days of the decision to exclude, stating the reasons for the appeal. The Principal will review all the evidence submitted during the investigation. The Principal will make the final decision as to whether the student should be permanently excluded.

The Principal's decision will be final.

## **2.6 Discretionary Removal of Permanent Exclusion Status**

The College recognises that circumstances can change, an individual may apply to the Principal to have their permanent exclusion status removed. A letter should be written to the Principal outlining the reasons and providing evidence for this change in status. The Principal will review all the evidence and interview the student. The Principal will make the final decision as to whether the student should be permitted to apply to study at the College.

The Principal's decision will be final.

## **2.7 Smoking Policy**

Any student caught smoking on College premises will have their name and ID number recorded by College Security Services. If a student is caught smoking on site three times (Strike 1, 2, 3) within an academic year, this will automatically result in the student being placed on the **Formal Stage 1 – Verbal Warning** of the Student Disciplinary Procedure. If, when challenged about smoking on site, any student resists the challenge or is verbally abusive to any member of the College staff, this will result in an automatic **Formal Stage 2 – Written Warning**.

### **Section 3: Procedures for dealing with serious and/or single acts of student misconduct**

Serious misconduct includes but not exhaustive:

- Violence to students, staff or visitors
- Theft of property
- Vandalism
- Threats to students, staff or visitors
- Racial or sexual harassment
- Discrimination of any form
- Bullying or harassment (including cyber-bullying)
- Possession of drugs or weapons
- Alcohol or substance misuse on any premises or activities that come under the responsibility of the Buckinghamshire College Group see Substance Abuse Policy
- Acts of behaviour that could endanger the health and safety of others
- Similar offences that take place outside of College for which a student is arrested and charged

#### **3.1 Suspension: Misconduct in College**

For single serious acts of misconduct in College a student will be immediately suspended by a member of the Executive Directorate, pending an investigation. All parties involved in an incident will be suspended as advised by the member of the Executive Directorate issuing the suspension.

Parents/carers of students under the age of 18 will be informed and asked to collect the suspended student if available. Any student 14-16 will not be allowed to leave the building until collected by a parent/carer or a substituted responsible adult as provided by parent/carer.

The investigation will normally be undertaken by a senior manager who will interview all relevant parties. As part of the formal investigation, the Safeguarding Officer must be informed to ensure additional student support needs are considered. The student's parents/carers, school (14-16) and/or employers (where applicable) will be informed.

At the time of suspension the student will have their ID card withdrawn and be told not to return to the College until the suspension is lifted, unless they are required to do so as part of the investigation.

The member of Executive Directorate issuing the suspension will inform the PA to the Vice Principal Learning and Quality who will in turn inform the Programme Leader, Curriculum Manager and Faculty Director of the action taken. The PA to Vice Principal Learning and Quality will also inform Reception/Security, MIS, Safeguarding Officer and the Learning Centre Manager who will, if notified, temporarily suspend the student's IT access. The student will not be allowed access into the Learning Centres. At the same time, the student will be told that they should contact their tutor to receive College work to complete at home during their suspension. Whilst under suspension, the student will be treated as a College visitor and when attending an interview will be requested to sign in as a visitor.

Following the outcome of the investigation, the student will be interviewed by the Vice Principal Learning and Quality and Executive Director of Student Support Services. Following the interview the Vice Principal Learning and Quality may recommend a warning or permanent exclusion. The student, student's parents/carers and/or employer (where applicable) will be notified of the outcome of the interview.

Students who are permanently excluded are not permitted access to the College as a visitor or to use the College's services.

The Principal will be immediately informed of a decision to exclude a student permanently.

If, following the investigation and final interview, the suspension is lifted, the PA to the Vice Principal Learning and Quality will inform the Curriculum Manager and Faculty Director, the programme leader, Reception/Security, MIS, Safeguarding Officer and the Learning Centre. The student will regain all rights removed with his/her suspension.

Where a student has an EHCP or other recognised and recorded issues that may lead them to behave in any way that could be perceived as violent, aggressive or disrespectful the Curriculum Manager may request that the student is granted up to 5 days 'welfare leave' whilst a review is undertaken of the 'triggers' that may have led to the outburst/incident. The Curriculum Manager must within those 5 days provide a risk assessment for the Executive Director Student Support and Services. This will be reviewed with the Head of Learning Support, Head of Student Services and if appropriate the campus Safeguarding Prevent Officer and a managed return to college will be planned immediately. If an extension of 5 days is needed to ensure the right levels of support can be put in place or that an emergency Annual Review is required this can only be actioned by the Executive Director Student Support and Services in conversation with the Vice Principal of Learning and Quality.

### **3.2 Suspension – Misconduct resulting in police involvement**

For serious acts of misconduct that take place, which result in arrest and charges being made, a student will be suspended by a member of the Executive Directorate, pending a risk assessment. The student's parents/carers, school (14-16) and/or employers (where applicable) will be informed. The risk assessment will be under-taken by the Head of Student Services or allocated safeguarding lead who will determine if the health and safety of other students, staff and visitors is at risk by the return of the students. The student, student's parents/carers and/or employer (where applicable) will be informed of the findings of the risk assessment.

The risk assessment will determine one of the following next steps:

- Whether the student should be suspended until the outcome of the Police investigation;
- If suspension from college pending police investigation is deemed to be the most appropriate course of action, the student will be expected to continue to study at home from work provided by teaching staff;
- Whether an independent college investigation should take place once the Police investigation is complete.

At the time of suspension, the student will have their ID card withdrawn and be told not to return to the College until the suspension is lifted, unless they are required to do so to collect or hand-in work.

The member of Executive Directorate issuing the suspension will inform the PA to the Vice Principal Learning and Quality who will in turn inform the Programme Leader, the Curriculum Manager and Faculty Director of the action taken. The PA to Vice Principal Learning and Quality will also inform Reception/Security, MIS, Safeguarding Officer and the Learning Centre Manager who will temporarily suspend the student's IT access and membership of the Learning Centre. At the same time, the student will be told that they should contact their tutor to receive College work to complete at home during their suspension.

Whilst under suspension, the student will be treated as a College visitor and when attending an interview will be requested to sign in as a visitor.

### **3.3 Permanent Exclusion**

If the recommendation of the risk assessment is permanent exclusion, the student will be interviewed by the Vice Principal Learning and Quality and Executive Director for Student Support Services. Students suspended by any other member of the Executive Directorate will be interviewed by the Vice Principal Learning and Quality, who may confirm the permanent exclusion or issue a final written warning. The student, the student's parents/carers, school (14-16) and/or employers (where applicable) will be informed of the outcome of the interview.

The Principal will be informed immediately of a decision to exclude a student permanently.

Students who are permanently excluded are not permitted access to the College as a visitor or to use the College's services.

### **3.4 Rights and Appeals**

A decision to exclude a student permanently shall be subject to a right of appeal. The student should write to the Principal within 10 working days of the decision to exclude, stating the reasons for the appeal. The Principal will review all the evidence submitted during the investigation. The Principal will make the final decision as to whether the student should be permanently excluded.

The Principal's decision will be final.

### **3.5 Discretionary Removal Permanent Exclusion Status**

The College recognises that circumstances can change, an individual may apply to the Principal to have their permanent exclusion status removed. A letter should be written to the Principal outlining the reasons and providing evidence for this change in status. The Principal will review all the evidence and interview the student. The Principal will make the final decision as to whether the student should be permitted to apply to study at the College

The Principal's decision will be final.

### **3.6 Student Rights and Responsibilities**

- For disciplinary hearings and appeals hearings, students under the age of 18 are expected to be accompanied by their parent(s) or appropriate adult (e.g. guardian or carer). For 14-16 year olds parent/carer will be in attendance.
- Students aged 19 and over have the right to be accompanied by a friend or relative.
- Students have the right to see any documentation used during disciplinary hearings unless such documentation is of a confidential nature. Documentation will be included in the correspondence confirming the date of the hearing. If further information becomes available before the hearing, the student will be given time to consider it prior to the start of the hearing.
- Students have the right to attend a hearing with a member of Student Services team in addition to their parent/guardian/carer or representative.

## **Parents/Guardians Rights (and sponsoring employers)**

- Parents or guardians of students less than 18 years of age (at the commencement of their course programme) will be kept informed at all stages of the procedure and have the right to attend disciplinary and appeal hearings. The College reserves the right to withhold information from parents only on the grounds that such information is likely to affect the safety and wellbeing of the young person. Such action must be authorised by the Executive Director for Student Support Services.
- For Stage 3 hearings, a copy of the invitation letter will be sent to the employer.
- Sponsoring employers will be kept informed of any disciplinary action, regardless of the age of the student and, where appropriate, may be involved as a representative in the hearings.

## **4. Associated Policies and Procedures**

The Student Disciplinary Procedure 2018-2019 should be read in conjunction with:

- Safeguarding Child Protection Policy and Procedure
- Equality and Diversity Policy
- Anti-bullying and Harassment Policy
- Student Substance and Alcohol Misuse Policy
- Social Media Policy
- Acceptable use of Computing Facilities Policy

## **5. Equality and Diversity Monitoring**

The implementation of the formal stages of the Student Disciplinary Procedure will be monitored with regard for equality and diversity. An annual report will be produced for monitoring by the College's Equality and Diversity group.

## **Checklist: Student Disciplinary Procedure**

### **Impact on Students/Staff:**

This policy impacts directly on students and their progression within college. Staff have to adhere to the policy to ensure student's behaviour is managed according to the procedures.

### **Impact on Diversity:**

This is an inclusive policy.

### **Impact on PREVENT:**

All staff will have training on PREVENT.

### **Impact on Health & Safety:**

The policy processes are designed to ensure a safe environment for students and staff.

### **Impact on Data Protection/Freedom of Information:**

Confidentiality and trust will be maintained as far as possible. However, the following staff will/may be kept informed:

Vice Principal Learning & Quality  
Executive Director Student Support Services  
Faculty Directors / Curriculum Managers  
Head of Student Services  
Head of Learning Support  
Safeguarding Leads  
Security / MIS staff  
Teaching and Support Staff

### **Link with Strategic Plan:**

**Excellence** – *We are ambitious and impatient to be excellent in all we do*

**Employability and Enterprise** – *We have a culture of employability and enterprise enabling positive and sustainable futures for our students, employers and the wider community*

**Growth and Development** – *We are highly responsive and have a positive impact on economic and social growth for Bucks and beyond*

**Investment and Sustainability** – *We are a sustainable College investing in sustainable futures*

### **Communication/Consultation Plan:**

Communicated and cascaded through managers to teams  
Policy available on Cloud

### **Process of review:**

This policy will be reviewed annually by the Vice Principal Learning & Quality and the Executive Director of student Support Services and then approved by Directorate

### **Process of review of effectiveness:**

The impact of the policy will be reviewed through monitoring of student success and progression from the disciplinary process

### **Responsibility for maintaining this policy rests with:**

Executive Director Student Support and Services

### **Links to other policies:**

Equality & Diversity Policy  
Substance Abuse Policy