

Student Disciplinary Procedure

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Disciplinary Procedure: Background

1. The College operates a student disciplinary procedure that serves three purposes which are:
 - Provide students with a procedure that is personally developmental as well as corrective
 - Provide a framework for staff to address student behaviour issues
 - Provide a staged procedure to allow for cumulative warnings where appropriate
2. It is also essential that the student disciplinary procedure is sufficiently robust to withstand challenge, facilitate appeal and ultimately remove students from the organisation when this is deemed to be the most appropriate course of action, recognising this always remains an action of last resort.

The Disciplinary Procedure

3. The College operates a four stage student disciplinary procedure for students who it considers are not complying with the College Charter (Our Promise – You and Your College) or whose behaviour is considered to be inappropriate, **whilst engaged in activities which come under the control of the college.**
4. At all stages a record will be made on the student's eTrackr record and shared with the manager responsible for the curriculum area and the student progress adviser. As necessary the Head of Department responsible for Student Support, Head of Safeguarding and Student Advocacy and Assistant Principal (Teaching, Learning and Students) will be informed.
5. In cases of potential gross misconduct there will be an investigation into the alleged incident and subsequently a meeting with the Principal (or their nominee) to determine the outcome. This process will be coordinated by the Assistant Principal (Teaching, Learning and Students).
6. At every stage of the procedure parents/carers/sponsors will be kept informed (students aged under 18 and employer sponsored trainees/apprentices only).
7. The table below summarises the stages in the process, the potential sanctions, the staff who can issue them and how the outcome should be noted on the student's eTrackr record. For more guidance please see the flow chart later in this document.

	Outcome	Who can issue	eTrackr record
1 – Minor Misconduct	Verbal warning (informal)	Course Co-ordinator / Programme Leader or more senior member of staff	Recorded as Cause for Concern
2 – Serious Misconduct	Verbal warning (formal)	Course Coordinator / Programme Leader / Section Leader / Senior Lecturer, or	Record as Cause for Concern

		more senior member of staff	
3 – Serious Misconduct	Written warning	Curriculum Manager/ Head of Department or more senior member of staff	Level 1 discipline*
4 – Gross Misconduct	Final written warning	Senior Manager or Principal	Level 2 discipline*
Gross Misconduct	Permanent exclusion	Principal	Level 2 discipline*

*(Level 1 and 2 discipline issues need to be notified to the SIS team, who will place the sanction on eTrackr)

8. The four stages outlined above are normally followed in sequence. If they fail to secure an improvement in behaviour or performance the Principal may exclude the student from the College.
9. Where it is considered that the student’s behaviour is sufficiently serious, disciplinary action will start at the appropriate stage within the sequence. If behaviour is considered as gross misconduct it may result in immediate suspension and possible permanent exclusion (e.g. possession, intoxication and/or sale of illegal drugs and alcohol, accessing pornography or other inappropriate material on the Internet; bullying; contravening the College’s Equality and Diversity Policy, theft etc).

Record keeping

10. Records of all disciplinary action should be made on eTrackr. Causes for concern on eTrackr should only be used for issues addressed through the student discipline procedure. Other issues which staff may wish to record should be recorded as a ‘note’ on eTrackr.

Suspension

11. Student suspension will only be applied where absolutely necessary and only be used in the following situations: 1) In cases of potential gross misconduct to protect those involved while an investigation takes place into the alleged incident; 2) To remove a student from a situation, allowing time for reflection and “cooling-off” to take place prior to returning to learning. Students may only be suspended by a Head of Department, Curriculum Manager, the Head of Safeguarding and Student Advocacy or a member of the senior management team.
12. In relation to suspension in connection with potential gross misconduct, students will only be allowed into college to provide information in connection with the investigation, until the disciplinary meeting has been held and a decision reached.

Support

13. At the disciplinary hearing students under 18, or under 25 if the student has a learning difficulty / disability or an education and health care plan (EHCP) should be accompanied by either a parent, carer or friend. If a parent or carer are not available, the college will offer support through the provision of the Head of Safeguarding and Student Advocacy or a Student Progress Adviser. Although the college is unable to provide advocacy services these are available from Southern Advocacy Services should the student require additional support. Further information and their contact details are available at: www.southernadvocacyservices.co.uk. As appropriate other external agencies may also be invited to attend if felt beneficial and supportive to the student.

i. Students with learning difficulties and disabilities

Where a student has an identified learning difficulty or disability, extra care will be taken during the disciplinary process to ensure that they are fully supported and understand the process being followed. This may require additional support from parents, carers and professionals that work with the student and appropriate adaptations being made to allow the student to fully participate and ensure their views are fully taken into consideration.

ii. Work based learning

Where students are following a programme primarily based at an employer's premises, such as an apprenticeship or traineeship, the student will be subject to the college student discipline policy, as well as the relevant staff discipline procedures of the employer. If the apprentice is under 18, or under 25 if they have a learning difficulty / disability or an education, health and care plan (EHCP) the student should be accompanied by a parent or carer (see section on support below). Where relevant the employer may also be asked to provide their views and attend any relevant meetings.'

Duration of warnings and penalties

14. If as a result of a disciplinary incident a warning or sanction is issued, these will remain in force for the following periods:

- **Verbal warning (informal)** - a note will be placed on file for future reference to aid monitoring of behaviour. These are not time spanned as they contain no sanction in their own right.
- **Formal verbal (recorded) and written warning** – these remain in force for a period of six months or until the end of the current enrolment at the college, depending upon which occurs first.
- **Final written warning** – this will remain in force for the duration of the current enrolment at the college. If the student seeks to enrol on a further course, during the application process their conduct since the issue of the final written warning would be considered and will inform the decision of whether to offer a place. If successful in securing a place on a course, the written warning would be considered as "spent" at this time.

College students enrolled on courses delivered by franchise partners

15. All students enrolled on college courses through franchise partners are subject to the college student discipline policy. In implementing this the college will work in partnership with the franchise provider, recognising that in applying the policy adaption may be needed in recognition of local circumstances and the special nature of the provision being provided.

Students aged 14-16

16. School links and special school courses: Where students are enrolled on a 14-16 college course in partnership with a local secondary school, the college's student disciplinary policy and procedure will apply to them while engaged in college organised learning activities. The college will work in partnership with the school and parents / carers when dealing with any student behaviour concerns.
17. Electively home educated (EHE) students and students on bespoke programmes: the college student disciplinary policy will apply in the normal manner.
18. Students attending college who are at risk of disengaging from learning and are 'on roll' at a school: these students will follow the student disciplinary and behaviour policy of the institution where they are 'on roll'.

Appeals against disciplinary action

19. Students have the right to appeal against any sanctions imposed at any stage in the procedure by writing, within 7 days, to the following:

Stages 1, 2 and 3:

To the Assistant Principal (Teaching, Learning and Students), Isle of Wight College, Medina Way, Newport, Isle of Wight, PO30 5TA

Stage 4:

To the College Corporation, c/o the Principal's Office, Isle of Wight College, Medina Way, Newport, Isle of Wight, PO30 5TA.

STUDENT DISCIPLINARY PROCEDURE 2017/18

The college has 4 clear **zero tolerance** rules:

1. Illegal drugs/alcohol

Possession, use, selling, being under the influence of drugs or alcohol, or being in possession of them, or equipment associated with their use while on the college campus or while participating in activities organised by the college, wherever these might be.

2. Bullying

Physical, through gossip or technology.

3. Health and safety

Not complying with instruction, messing about, negligence.

4. Excessive abusive language or behaviour

Everything else is an expectation under a Work Ethic

Students are entitled to:

- A procedure that is personally developmental as well as corrective
- A staged procedure to allow for cumulative warnings where appropriate
- Being treated on an individual basis
- A description of reasons for disciplinary action
- Copies of all evidence used in deciding upon outcome (including 'depersonalised' student statements)
- Someone to accompany them at hearing
- An opportunity to appeal against sanctions.

Minor misconduct

For example:

- Attendance
- Punctuality
- Performance, including non-submission of work
- Participation
- Use of mobile phones
- Eating/drinking in class
- Rowdiness
- Habitual swearing
- 'Messing about'

Verbal warning

(Stage 1)

Who: Course co-ordinator, programme leader or more senior member of staff

Action:

- Note on student's eTracker record
- Investigate support needs and implement if necessary
- Student re-admitted to sessions.

Serious misconduct

For example:

- Repeated minor misconduct
- Disruption to learning
- Inappropriate use of IT systems
- 'Horseplay'
- Aggressive behaviour, including swearing
- Performance, including persistent non-submission of work.

Verbal warning (recorded)

(Stage 2)

Who: Section leader or more senior member of staff

Action:

- For record of incident recorded on eTracker as "cause for concern"
- Investigate support needs and implement if necessary
- Student re-admitted to sessions

Written warning

(Stage 3)

Who: Course co-ordinator, programme leader, senior lecturer or more senior member of staff

Action:

- Formal letter to student and parent, carer, employer
- Recorded as level 1 discipline on eTracker
- Investigate support needs and implement if necessary
- Student re-admitted to sessions

Gross misconduct

For example:

- Continual repetition of minor misconduct
- Repeated serious misconduct
- Fighting/assault
- Serious disruption to learning
- Breach of health and safety
- Substance misuse
- Theft • Bullying • Plagiarism
- Serious misuse of IT
- Performance, continued non-submission of work
- Excessive abusive language or behaviour
- Being under the influence of drugs or alcohol, or being in possession of them or equipment associated with their use while on the college campus or while participating in activities organised by the college, wherever these might be.

Suspension

(Stage 4)

Who: HoD, CM, Head of Safeguarding & Student Advocacy or more senior member of staff

Action:

- Student asked to leave campus immediately if in a fit state to do so
- Immediate telephone call to parent, carer, employer
- Notify PA to Assistant Principal (Teaching & Learning) ext.2415
- Formal letter to student, parent, carer, employer from Assistant Principal (T&L)
- Student not allowed on campus until INVESTIGATION STAGE completed and action agreed.

Investigation

Who: Assistant Principal (Teaching & Learning) or representative, learner and representative, witnesses and other parties involved

Outcomes:

- Disciplinary hearing
- No case to answer
- Recommendation for further action

Decision

Outcome of investigation

1. **No case to answer, suspension lifted, student returns to college**
2. **Disciplinary hearing chaired by AP (T&L) with Principal, investigating officer, learner, parent/carer and representative from curriculum**

Outcomes:

- No case to answer
- Appropriate level of warning
- Further investigation
- Temporary/permanent exclusion
- Investigate support needs and implement if necessary

Appeal, in writing, within 7 days to Corporation, c/o Principal's office

Appeals at each stage, in writing, within 7 days to Assistant Principal (Teaching & Learning)