

STUDENT BEHAVIOUR & DISCIPLINARY POLICY



1. Purpose & Scope

The purpose of the policy is to promote positive behaviour as a way of supporting student progress towards reaching their potential. In cases where support for students is unsuccessful, and/or the student displays unacceptable behaviour, this might involve applying appropriate sanctions to protect the interests and learning of other students and staff.

All students have the right to learn and a responsibility to allow others to learn in a safe, secure and respectful environment.

Tresham College also has a responsibility to provide staff with a safe, secure and respectful environment in which to work.

The aim of this policy/procedure is to ensure the provision of such an environment, to support the learning process and to promote acceptable conduct at all times.

Wherever possible, the College will work constructively with students to resolve disciplinary issues but implicit in this policy is the recognition of the need to disapprove of, formally record and, in certain circumstances, punish unacceptable conduct which disrupts learning or shows disrespect. Should actions undertaken by students outside of the College premises impact upon maintaining good order within the campus, then disciplinary action will also be considered.

- During induction the Student Behaviour and Disciplinary Policy and Procedure will be explained to all students.
- The Student Behaviour and Disciplinary Policy and Procedure is posted on the College website.
- Parents/carers/employers of students will be provided with details of how to access the policy and procedure.
- This policy and procedure will be explained to all new staff at induction and details of how to access it through the websites will also be explained.
- All students will be made aware of this policy through printed materials such as College and Course Handbooks.
- All students will be entitled to advocacy support when subjected to the disciplinary process.
- Any disciplinary action will follow the procedures laid down in the accompanying document(s).
- The student is the responsibility of their curriculum area, irrespective of where any alleged offence took place.
- The principle underlying the procedures is that the investigation (and subsequent judgment) determines the seriousness of any offence, if found, and therefore the level (or stage) of warning.
- Standard college letters will be used where appropriate. An adjusted letter will be used for students who have learning difficulties and or disabilities

Disciplinary warnings will remain active for a twelve month period following a student completing or withdrawing from the College.

2. Definitions

Unacceptable Conduct

Any academic or non-academic conduct which adversely interferes with teaching and learning, is disrespectful to other members of the College community or property or breaches the Code of Conduct, which is:

- To not use a mobile phone in class unless directed by the teacher
- To engage with the College (e.g. through listen to learner forums) and be positive about it
- To be respectful and considerate of each other and the College environment, avoiding causing nuisance to others
- To speak to one another and staff calmly and politely, avoiding words and actions that may be interpreted as abusive, offensive or threatening
- To carry college identification cards at all times
- To assist security within the College by ensuring that caps or clothing do not obscure the face and hoods are not worn in College
- To be punctual and properly prepared for classes.

Serious Misconduct

Any conduct that is a serious threat to the good management of the College or causes threat or harm to other members of the College community. Examples of such conduct, not exclusively, are:

- Physical or verbal assault on another student or member of staff or visitor, or threatening behaviour.
- The possession, use or dealing of any illegal substances including alcohol. (See Substance Misuse Policy)
- Incapacity caused by being, or appearing to be, under the influence of alcohol, illegal drugs or solvents (see Substance Misuse Policy)
- The possession of any offensive weapon(s).
- Theft, fraud, deliberate falsification of records.
- Deliberate damage to property owned by Tresham College, its staff, student or visitors.
- Behaviour likely to be offensive to public decency (including swearing and offensive language).
- All forms of harassment whatever they are based upon (for example whether based on sex, race, sexual orientation, disability, age, health, appearance, background, personal or political beliefs or religion or any protected characteristic).
- Refusal to follow any instruction of College staff (or emergency services staff) relating to health and safety, or the orderly management of the College's business and its environment.
- Behaviour prejudicial to the good name of the College, whether on or off the College premises.
- Inappropriate use of technology or any of the College's computer equipment or facilities (see IT Acceptable Use Policy).
- Failure to pay any outstanding debts to the College e.g. for trips, course fees, examination fees.

Failure to meet Academic Standards

All courses depend on a commitment and application to study and the production of required work. This will include, but not be limited to:

- Assignments as part of the assessed Curriculum (submitted within required guidelines)
- Homework and research set to aid learning
- In class activities

A student who fails to meet these requirements, without satisfactory explanation, will be regarded as neglecting their academic obligations. In the first instance this will be dealt with by the appropriate teacher / personal tutor who will record actions on Pro Monitor. A student who also plagiarises their work will also be deemed to have failed the academic standards expected.

3. The Process

Where breaches of discipline occur such as a failure to comply with the Code of Conduct or any incident of academic misconduct, the following procedure will be used.

Every effort will be made to avoid the use of formal disciplinary action where problems can be remedied informally.

All staff members carry the responsibility for the informal disciplining of students and for ensuring that misconduct or poor academic performance on the part of students is consistently dealt with in accordance with this policy.

Where informal measures prove insufficient to establish a satisfactory standard of conduct, a verbal warning may be given. If there is no improvement then three formal disciplinary stages may be invoked and may include the possibility of fixed period or permanent exclusion from the College.

Any disciplinary action must be logged electronically on the ProMonitor System.

In all cases staff should be aware of any learning difficulty or disability which may affect the student and seek advice and support as appropriate and always before implementing formal action.

Every disciplinary hearing should be preceded by investigation of the facts leading to the request for a disciplinary hearing. Where a staff member believes a Stage 1 or above disciplinary should occur, evidence should be presented to the Head of School first to determine whether or not disciplinary action should be taken.

The manager responsible for the disciplinary hearing should ensure they have considered all relevant information and documentation related to the cause for the disciplinary hearing. Where it is decided that a formal investigation is appropriate, the Head of School will instigate this.

If the student has a learning difficulty and/or any disability a reasonable adjustment will be made. The College reserves the right to engage an external (independent of the College) investigator where the risk to the College or student is deemed sufficient to warrant this action.

Students can be placed on any stage of disciplinary without having undergone the previous stage, the principle here being that the level of disciplinary action is determined by the alleged misconduct (see appendix 1 for guidance).

Please note: Before sending letters to parents, staff should be aware that students may have opted out of parental communication and therefore additional letters to parents will not be required.

4. Disciplinary Process

Stage 1A - Yellow Card 1

Can be issued to address first time or minor incidents of classroom management issues or behaviour concerns within College. This should be logged by the person issuing it on ProMonitor within 24 hours, for Work Based (WB) or Work Placed (WP) learners a record will be held in their personal file and a copy sent to their employer. Actions to be monitored by the person issuing the **Yellow Card** and the PDC concerned. This will stay on record for the academic year.

Stage 1B - Yellow Card 2

Can be issued if minor incidents of classroom management issues or behaviour concerns with College continue. These incidents may be different in nature. The issuing of a second **Yellow Card** will initiate a letter home to parents/guardians from the Principal explaining concern on behalf of the college and what the next stage will be if of any further incidents of poor behaviour continue. The **Yellow Card** will be logged by the person issuing it and the Head of School will be notified.

Stage 1C – Red Card

A **Red Card** will be issued when persistent classroom management issues continue or the nature of the incident is serious enough to move directly to a **Red Card**. The issuing of a **Red Card** should be seen as a serious breach of expected learner conduct. The issuing of a **Red Card** will trigger a meeting with the Head of School and the member of staff concerned. The nature and conditions of the **Red Card** will be discussed and the learner will be put on a monitoring contract for a period of 30 days. In this time the contract will need to be signed by each member of staff who comes into contact with the learner in a learning situation. A letter will also be sent home to parent/carer informing them that a **Red Card** has been issued and that the learner is now under contract. The **Red Card** will stay on the learners file for the academic year concerned.

Stage 2

A stage 2 disciplinary will initiate if the learners' behaviour continues to break the learner code of conduct or that the learner fails to meet the requirements of his/her learner contract.

A report will be prepared detailing the reasons for a stage 2 by the Deputy Head of School/PDC or the Investigating Officer; this report will be presented to the Head of School.

Parents/carers/employers must be invited to attend the hearing (where the student is under 19 at the start of their course and has not withdrawn permission), normally within 5 working days of the report being concluded.

The Head of School will convene a panel for the hearing consisting of the learner, their parent or guardian, PDC, Deputy Head of School, and if possible Director of Customer

Services or the Director of Strategic Curriculum Operations.

The hearing will have 1 of 4 outcomes:

- Stage 2 confirmed
- Lower level confirmed
- No disciplinary given
- Recommendation for Action Plan and Final Warning to be issued.

Where a disciplinary is confirmed the Head of School will instigate another action plan which will contain a course of action for improvement within an agreed timescale (2/3 weeks) and outline the consequences of further misconduct or poor academic performance which will be dismissal from the College.

A meeting to review progress against the action plan will be conducted usually within 20 working days of the student receiving the official warning. Outcomes from that meeting to be logged on ProMonitor.

Stage 3 – Dismissal Hearing

A report will be prepared detailing the reasons for a stage 3 by the Head of School/PDC. This report will be presented to the Principal or the Vice Principal Finance & Corporate Services.

The Principal/Vice Principal will convene a hearing. Parents/carers/employers must be invited to attend the hearing (where student is under 19 at the start of their course and has not withdrawn permission), normally within 5 working days of the report being concluded.

The hearing will have 1 of 3 outcomes:

- Dismissal confirmed
- Lower level confirmed
- No disciplinary given

4a 42 Day Ruling

Once a student enrolls on their chosen course the college has 42 days to assess the suitability of the chosen course for that student. If it is felt at any time that the student is not acceptable for the course, the **Head of School only** has the liberty of either re-coursing the student or seeking alternative options for that student without recourse to the college disciplinary policy

5. Notification of Disciplinary Hearings

For stages 2 – 3 inclusive, students will be given at least 5 working days' written notice to attend the hearing which will include the nature of the alleged misconduct.

Students will be advised that they may be accompanied by a parent/carer/relative/employer/fellow student if they wish. Students may request advocacy support from their Personal Tutor or PDC for any disciplinary hearing which may involve support to make a written statement of their version of events which may be subsequently used as evidence in any future hearings. Legal representation is not acceptable and will not be permitted.

Parents/carers/employers will be informed of the outcome of Stage 1 hearings and invited to attend stages 2 and 3 if they wish.

6. Suspension

Suspension may occur for a single incident without recourse to the early stages of the Student Disciplinary Procedure. Tresham College suspends without prejudice and makes no presumption of guilt.

The following staff can suspend students:

Any Head of School, Head of Teaching, Learning & Assessment and the Director of Customer Service may suspend a student for a period not exceeding 5 working days.

Any member of the College Senior Management Team can suspend a student for a period not exceeding 10 working days.

Where a request is made to extend a suspension beyond 10 working days, the Principal and the Director of Customer Services will review the request and agree to either extend the suspension or refuse to extend the suspension. Where the suspension period is extended, the length of time will be determined by the need for further investigation and reporting.

If the student being suspended is under 18 at the start of their course, their parent/carer must be informed immediately of the suspension and the reasons for the suspension (unless the student has actively removed permission to contact). If a work based/placed learner is being suspended under this policy their sponsor must be informed.

7. Police Involvement

Where any member of staff has reason to believe that a student may have committed a criminal offence, the College may refer the matter to the police and may continue disciplinary 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 Director of Customer Services will liaise with the police to confirm whether there is any reason why the disciplinary proceedings should not continue.

Where the student has been suspended under this provision or when the results of those enquiries and any criminal proceedings are known, the College reserves the right to recommence proceedings under this procedure in relation to the matter.

It is emphasized that in relation to the application of this procedure, the College is not bound by the results of any criminal proceedings against students.

8. Appeals

There is a right of appeal at some stages of the formal procedure. For stages 1 and 2, the student should submit their appeal, in writing, to the Head of School within 5 working days of their hearing. The Head of School will hear the appeal usually within 10 working days.

There will be no appeal against exclusion. The decision to exclude will be absolute and not subject to any appeal.

This procedure lays down timeframes to which the College will seek to adhere to. However, there may be occasions where the time limits will slip. In that eventuality, the College will keep the student fully informed of the reasons for this and when the hearings will take place.

Person Responsible for Policy	Principal and CEO
Date Policy Written	July 2015
Date Approved by CLG	July 2015
Date Approved by Governors	September 2015
Date to Review	July 2016

Appendix One

STAGE	PROCESS	SANCTIONS	MISCONDUCT LEVEL	APPEAL
Stage 1A Yellow Card 1	<p>Course Teacher / PDC will issue Yellow Card to student</p> <p>This will be logged on ProMonitor and HoS informed</p>	<p>Stay on file for academic year</p> <p>Monitored by Teacher / PDC</p>	<p>Issues such as continuous/repeated:</p> <ul style="list-style-type: none"> • Disrespect to college environment, fixtures and building. • Disrespect towards staff • Disruptive behaviour/unacceptable language • Non-application of work in class • Lateness (15 min rule) • Poor attitude to completing work • Minor breaches of the college rules e.g. <ul style="list-style-type: none"> ○ Wearing hood or hat ○ Smoking ○ Inappropriate use of IT 	None
Stage 1B Yellow Card 2	<p>Teacher / PDC will inform HoS/ DHoS</p>	<p>Letter sent from Principal (App 2)</p> <p>This stage can be repeated once, only if appropriate, then escalation to Stage 1C</p>	<p>Repeat of behaviour or other issue - the following issues will trigger this stage regardless:</p> <ul style="list-style-type: none"> • Minor damage to property • Minor levels of aggression or bullying • Discriminatory behaviour • Blatant Plagiarism 	None
Stage 1 C Red Card	<p>Meeting with HoS and staff member</p>	<p>Learner contract to be initiated for a period of 30 days this has to be signed by all tutors in learning session with learner</p> <p>Letter to be sent home to parents/guardians indicating student is under contract</p>	<p>Continuance of poor behaviour or other issues</p> <p>Automatic Red Card issued for:</p> <ul style="list-style-type: none"> • Physical or verbal assault on another student/staff member or threatening behaviour • Deliberate damage to property • Behaviour likely to be offensive • All forms of harassment • Inappropriate use of technology or any college computer equipment 	<p>In writing to HoS within 5 working days</p> <p>Appeal to be heard within 10 working days</p>

STAGE	PROCESS	SANCTIONS	MISCONDUCT LEVEL	APPEAL
Stage 2	Report to be produced for HoS. Parent / Carers invited to a panel hearing	<p>If disciplinary case upheld a further action plan agreed. If this action plan is not upheld then this will invoke an automatic dismissal hearing.</p> <p>All actions and outcomes to be input to ProMonitor</p>	<p>Issues warranting a Stage 2:</p> <ul style="list-style-type: none"> • Physical or verbal assault on another student • The possession or dealing of banned substances • Incapacity caused by being under the influence of drugs or alcohol • Possession of an offensive weapon • Theft, fraud or falsification of accounts • Deliberate damage • Inappropriate use of technology 	Appeal in writing to HOS within 5 days.
Stage 3 - Dismissal	<p>Following a recommendation for exclusion from the Head of School, the Principal will meet with the student concerned to consider exclusion</p> <p>Parents/Carers will be informed of action and invited to formal meetings</p>	Stage 3 Dismissal Hearing	Will normally be preceded by a Stage 2 hearing, however where the incident is deemed extremely serious a Stage 3 hearing can be requested directly	No Appeal

Appendix Two

Parents/Guardians of
FORENAME SURNAME
ADDRESS1
ADDRESS2
TOWN
COUNTY
POSTCODE

DATE

Dear Parent/Guardian

Stage 1B of the Student Disciplinary Procedure

Your son/daughter has recently received a second Yellow Card as part of our student disciplinary procedure.

Receiving a second Yellow Card indicates that the students behaviour continues to be a concern to the college and we would ask for your support in helping us resolve the issues leading up to being given this sanction.

Any future incidence of either repeated behaviour or behaviour not deemed appropriate, will lead to a Red Card being issued. This is a serious breach of expected learner conduct and would lead to a behavioural contract being issued and potential exclusion from College.

Please could you ensure that your son/daughter is aware of any future behavioural concerns and work with us to ensure a successful study outcome.

Thank you for your support at this time.

Yours sincerely



Stuart Wesselby
Principal & CEO