



# Student Disciplinary

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Policy & Procedure 2021-22

Head of Student Entitlement

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## **1. Purpose**

- 1.1 The purpose of this policy is to outline the College's approach to student and apprentice discipline and the procedure demonstrates the process to be followed when any student/apprentice is in breach of College rules, College values or health and safety regulations.

## **2. Scope**

- 2.1 This procedure applies to ALL students and apprentices. Variations to the procedure may apply in the case of Higher Education (HE) students, Part-Time (PT) students or Apprentices.

## **3. Implementation**

- 3.1 All students and apprentices will be made aware of the existence of the policy and procedure during the induction period, and of how it might be used. The policy and procedure will be stored on the College intranet. The Code of Conduct is aligned to British Values and posters are in every teaching room and cross college areas.

## **4. Informal handling of student and apprentice discipline**

- 4.1 In most cases student and apprentice discipline can be dealt with informally.
- 4.1.1 The student and apprentice is reminded of the College's expectations and is cautioned by a member of College staff.
- 4.1.2 A record of this is recorded on mywolvColl (Ontrack) for the attention of the student's Personal Tutor or apprentices Assessor. The Personal Tutor/Assessor will discuss any behaviour with the student or apprentice during Tutorials/1-1 and give actions as required to ensure the behaviour does not persist or reoccur. If the unacceptable behaviour persists or reoccurs the formal procedure will begin.
- 4.1.3 If required, the parents/guardian/carers, the Employer and/or the HE provider may also be informed.
- 4.1.4 In cases involving SEN/SEND students/apprentices, appropriate actions plans will be discussed with the parents/guardians/carers and advice sought from the Local Authority in line with the EHCP.

## **5. Formal handling of student and apprentice discipline**


- 5.1 The formal policy and procedure is designed to start when inappropriate behaviour is repeated, or of sufficient scale to be outside the normal realms of everyday classroom management.

- 5.1.1 Each stage centres on a meeting between the student/apprentice and relevant member(s) of staff, including other parties where appropriate. Meetings will be conducted fairly and openly, allowing both student/apprentice and staff to state their case. If a student or apprentice fails to attend (without giving notice), or leaves the meeting, the meeting may still proceed.
- 5.1.2 A record is made of meetings between staff and the student or apprentice using Ontrack. The record outlines the reasons for concern and the views held by staff and student/apprentice about the issue(s) raised.
- 5.1.3 A letter/email will be sent after the meeting(s) to confirm the outcomes and an agreed Action Plan/Learning Contract concludes the process.
- 5.1.4 The Action Plan/Learning Contract will be monitored. If the student or apprentice successfully completes the agreed disciplinary action plan, within an agreed timescale, the disciplinary episode is closed.
- 5.1.5 If it is not, the student/apprentice will be put on the next stage of the procedure.
- 5.1.6 In the case of Apprentices, the employer or sponsor will be notified. For HE or Advanced Learning Loan students they will be advised of the effects on their student loan if the behaviour persists.
- 5.1.7 If conditions of a Stage 3 disciplinary are not adhered to, an exclusion may be applied.
- 5.1.8 It is the role of the Head of Student Entitlement to assist in determining what support the College can offer to the student/apprentice outside curriculum interventions.
- 5.1.9 At any stage if the student or apprentice is deemed vulnerable, has learning difficulties or disabilities, representatives from learning support will need to be involved in the process to develop appropriate development plans and provide support during the process. Parents/guardians/carers/keyworkers will be informed of appropriate actions to support SEN/SEND/HN student/apprentice who do not have the capacity to fully appreciate the impact their non-compliance. This may involve the recommendations of external parties (e.g. Educational Psychologist, Local Authority) in order to form an action plan. This action plan will be individualised to reflect the specific needs of SEN/SEND/HN student/apprentice and will replace the standard disciplinary procedure.

## **6. Stages of the Disciplinary Procedure**

- 6.1 There are three stages in this procedure. It is envisaged that most students or apprentices will be put initially onto Stage 1 of this procedure. More serious matters can lead to a student/apprentice being put straight onto other stages, in cases of gross misconduct for example.

Stage	Reason		Action	Taken By
<b>Stage 1</b>	First misconduct	→	Verbal warning <i>recorded on Ontrack</i>	Personal Tutor
<b>Stage 2</b>	Repetitive Or serious misconduct	→	Written warning <i>recorded on Ontrack</i>	Curriculum Manager
<b>Stage 3</b>	Repetitive misconduct  Or Failure to adhere to a Stage 3 Action Plan  Or Gross misconduct	→	Final written warning  Or Exclusion  <i>recorded on Ontrack</i>	Head of Faculty  Or Vice Principal  Or Deputy Principal
<b>Appeal</b>	Only applicable after a Stage 3 Exclusion  To be received in writing following Exclusion	→	Outcome  <i>recorded on Ontrack</i>	Vice Principal  Or Deputy Principal



## 7. Suspension

- 7.1 In cases of suspected gross misconduct, a student or apprentice may be suspended by a Head of Faculty/Duty Principal or member of EMT. Suspension does not imply guilt on the part of the student or apprentice. It may be a means to contain a situation while an investigation is held.
- 7.2 When a student or apprentice is suspended, the member of staff conducting the suspension will record all details on Ontrack. If in the case of it being a Duty Principal, an incident form is also completed. The following people are informed of the suspension:

- a) Head of Student Entitlement, who will update the Student Records system and inform front line staff
- b) Head of Faculty, who will write to the student/apprentice to confirm the suspension
- c) Security
- d) PA to the Principal, who will store the Incident Form on the Duty Principal site.

7.3 An Investigating Officer is appointed within one working day of a student or apprentice's suspension by the member of staff conducting the suspension.

## 8. Appeals

8.1 A appeals process is only applied following a Stage 3 Exclusion.

8.2 A appeal can be made in writing or email to the Vice Principal or Deputy Principal within five days of the Stage 3 Meeting. This can be sent to [quality@wolvcoll.ac.uk](mailto:quality@wolvcoll.ac.uk) to be received and forwarded to appropriate EMT member who will assume the role of the Appeal Investigator.

8.3 The Appeal Investigator has 10 working days to complete the investigation. The outcome will be shared in writing or email. The appeal concludes the process.

## 9. Misconduct

9.1 The College will not tolerate any anti-social misconduct. Below are examples of misconduct which may lead to disciplinary action. It is not a full list and there may be other cases of misconduct which lead to disciplinary action:

- Non submission of work after negotiated and agreed deadline
- Non-attendance of meetings as a result of this
- Non engagement in class, e.g. low level disruptive behaviour, refusal to take part in an activity/lack of production of work
- Breach of any of the College's expectations regarding student/apprentices behaviour as per the College's Code of Conduct/British values
- Disruption to teaching and learning of others
- Failure to do as a member of staff asks
- Smoking, except in the designated areas
- Cheating, plagiarism or copying the work of other students/apprentices
- Noisy or unruly behaviour or the use of foul, abusive or discriminatory language
- Damaging College buildings, equipment, books or furnishings or any property of others
- Interference with software or data belonging to, or used by, the College
- Use of mobile phones in any learning and study environment without permission
- Causing the College actual or potential financial loss
- Behaviour which could damage the reputation of the College
- The distribution of material critical of the College or its staff
- Misuse of computers, the internet or email

- Taking photographic images or videoing of people on College premises without their consent.

## 10. Gross Misconduct

10.1 The College will not tolerate any anti-social misconduct. Below are examples of gross misconduct which will lead to disciplinary action and/or exclusion. It is not a full list and there may be other cases of gross misconduct which lead to disciplinary action:

- Illegal acts which affect the work of the College or other students or apprentices
- Bullying, intimidation, taunting, verbal abuse or the use of violence or threat of violence towards any person, face to face or electronically e.g. phone or email including social media etc.
- Taking photographic images or videoing of people on College premises without their consent which is then shared or uploaded to social media platforms
- Behaviour which is racially, sexually offensive or which is offensive to those with learning and/or physical disabilities or sensory impairment
- Any form of discrimination related to orientation or gender preference
- Drunkenness on College premises or on any activity associated with the College
- Use, possession or supply of any illegal substance\*
- Careless driving on College premises
- Robbery, theft, or any other dishonest acts
- Conduct which puts at risk the Health and Safety of yourself, other students/apprentices or staff\*\*
- Mistreatment of animals or any livestock
- Being in possession of illegal/offensive weapons.

\*in support of establishing use, possession or supply of any illegal substance see appendix 1.

\*\* this could include failure to remove PPE to identify yourself as student/apprentice, not adhering to social distancing measures or other measures put in place to protect all.

## Procedure

### Stage 1

#### FORMAL VERBAL WARNING BY PERSONAL TUTOR

1. The Student/apprentice is advised by their Personal Tutor that they are to be put onto Stage 1 of the disciplinary procedure.
2. The Personal Tutor informs the Curriculum Manager.
3. The Personal Tutor informs, by way of letter/email, the Parent/Guardian (16-18), Employer and the HE provider (where appropriate), that the Student/Apprentice is to be placed on Stage 1 of the disciplinary procedure.
4. A link to the Disciplinary Policy is sent with the information letter/email.
5. The Personal Tutor convenes a formal meeting with the student or apprentice and gathers the necessary evidence.
6. Evidence is gathered from all sources e.g. mywolvColl (Ontrack), Tutors, Personal Tutors, Security, Safeguarding etc.
7. The Personal Tutor issues a formal verbal warning to the student or apprentice and an action plan/learning contract is drawn up with a review date.
8. An outcome letter/email is sent to both student/apprentice and Parent/Guardian/keyworker (16-18), Employer, the HE provider (where appropriate) including a copy of the action plan/learning contract.

**The Parent/Guardian (16-18), will be informed of the outcome unless alternative agreements have been made with the Curriculum Manager.**

9. All details will be recorded on Ontrack by the Personal Tutor and all information e.g. a copy of the letter/email and action plan/learning contract.
10. Review(s) to be carried out by Personal Tutor and recorded on Ontrack to show impact/progress or whether Stage 2 is required.
11. Successful completion of the action plan/learning contract, within the agreed time, will result in the end of the disciplinary process.

## Stage 2

### DISCIPLINARY MEETING WITH PERSONAL TUTOR AND CURRICULUM MANAGER

1. The student or apprentice is advised by their Personal Tutor and Curriculum Manager that they are to be put onto Stage 2 of the disciplinary procedure. This will usually be because the student or apprentice has not complied with the agreed action plan/learning contract from Stage 1, but may also be for more serious misconduct than would normally be dealt with at Stage 1.

*Note: The student/apprentice may be suspended for a period of time between the incident and the disciplinary meeting.*

2. The Curriculum Manager invites, by way of letter/email, the Parent/Guardian/keyworker (16-18), Employer and the HE provider (where appropriate), to the Stage 2 meeting, giving a minimum of seven 7 days' notice and gathers the necessary evidence.
3. If a student or apprentice is 16-18 both parents or a guardian may attend. If a student/apprentice is 19+, one responsible adult may attend.
4. A link to the Disciplinary Policy is sent with the invitation letter/email.
5. Evidence is gathered from all sources e.g. mywolvColl (Ontrack), Tutors, Personal Tutors, Security, Safeguarding etc.
6. The Curriculum Manager Chairs the meeting. All of the evidence presented will be considered, including any additional information provided by the student or apprentice. The Stage 2 contract is issued along with an action plan/learning contract is drawn up with a review date.
7. An outcome letter/email is sent to both student/apprentice and Parent/Guardian/keyworker (16-18), Employer, the HE provider (where appropriate) including a copy of the action plan/learning contract.

**The Parent/Guardian (16-18), will be informed of the outcome unless alternative agreements have been made with the Curriculum Manager.**

8. All details will be recorded on Ontrack by the Personal Tutor and or the Curriculum Manager and all information e.g. a copy of the letter/email and action plan/learning contract.
9. All staff involved in the teaching and learning of the student or apprentice are then made aware of the warning.
10. The Personal Tutor will monitor progress and report on Ontrack, reporting if required to the Parent/Guardian/Keyworker (16-18), Employer and the HE provider (where appropriate).



11. Review(s) to be carried out by Curriculum Manager and recorded on Ontrack to show impact/progress or whether Stage 3 is required.
12. Successful completion of the action plan/learning contract, within the agreed time, will result in the end of the disciplinary process.

### Stage 3

#### DISCIPLINARY MEETING WITH HEAD OF FACULTY

**This is the stage at which the exclusion of the student or apprentice can be considered and actioned.**

1. The student or apprentice is advised by the Head of Faculty that they are to be put onto Stage 3 of the disciplinary procedure. This is usually because the student or apprentice has not complied with the agreed action plan/learning contract from Stage 2 or that this stage is required for gross misconduct.

*Note: The student/apprentice may be suspended for a period of time between the incident and the disciplinary meeting.*

*Note: If the student/apprentice has not fulfilled the requirements of a previous Stage 3 Action Plan, another Stage 3 Meeting will be planned and exclusion can be considered.*

2. The Head of Faculty invites, in writing, the Parent/Guardian/Keyworker (16-18), Employer and the HE provider (where appropriate), to the Stage 3 meeting, giving a minimum of seven 7 days' notice and gathers the necessary evidence.
3. If a student or apprentice is 16-18 both parents or a guardian may attend. If a student/apprentice is 19+, one responsible adult may attend.
4. A link to the Disciplinary Policy is sent with the invitation communication.
5. Evidence is gathered from all sources e.g. mywolvColl (Ontrack), Tutors, Personal Tutors, Security, Safeguarding etc.
6. The Head of Faculty prepares for the Stage 3 meeting outlining the evidence and steps which have led to the meeting, briefing the Vice Principal/Deputy Principal if required as the Chair.
7. The Head of Faculty Chairs the meeting and **will make a decision as to whether the student or apprentice is to be excluded or not**. All of the evidence presented will be considered, including any additional information provided by the student/apprentice.

If it is decided that the student/apprentice **is not be excluded** -

8. The student or apprentice will remain in College on a Stage 3 contract. The Head of Faculty will issue a final written warning to the student/apprentice and an action plan/learning contract is agreed.
9. An outcome letter/email is sent to both student/apprentice and Parent/Guardian/keyworker (16-18), Employer, the HE provider (where appropriate) including a copy of the action plan/learning contract.

**The Parent/Guardian (16-18), will be informed of the outcome unless alternative agreements have been made with the Curriculum Manager.**

10. All details will be recorded on Ontrack by the Head of Faculty and all information e.g. a copy of the letter/email and action plan/learning contract.
11. All staff involved in the teaching and learning of the student/apprentice are then made aware of the outcome, including the Security Team and the Head of Student Entitlement.
12. Extra tutorials will be provided to monitor the student/apprentices behaviour and progress by the Personal Tutor will be recorded on Ontrack. Review(s) to be carried out by Head of Faculty and recorded on Ontrack to show impact/progress.
13. If the action plan/learning contract is not adhered to, this could result in automatic exclusion. In this instance, the student/apprentice will be verbally informed and a letter/email of confirmation will be sent.

If it is decided the student or apprentice **will be excluded** –

14. As a result of a Stage 3 disciplinary meeting, the student/apprentice will be verbally advised of the outcome and it will be explained of their right to appeal against the decision within five days of the meeting.
15. An outcome letter/email is sent to both student/apprentice and Parent/Guardian/keyworker (16-18), Employer, the HE provider (where appropriate) including a copy of the action plan/learning contract.

**The Parent/Guardian (16-18), will be informed of the outcome unless alternative agreements have been made with the Curriculum Manager.**

16. All details will be recorded on Ontrack by the Head of Faculty and all information e.g. a copy of the letter/email and action plan/learning contract.
17. All staff involved in the teaching and learning of the student or apprentice are then made aware of the outcome, including the Security Team.

18. The Head of Student Entitlement is informed of the final decision and will offer IAG to the student/apprentice as a duty of care. For students/apprentices under 18, Connexions will be informed to offer any additional support.
19. The student/apprentice has the right to appeal within five days of the Stage 3 meeting where the decision has been made.

Where there is an **extreme act of gross misconduct**, a Head of Faculty/Duty Principal or member of EMT can verbally exclude with immediate effect.

**20. The Parent/Guardian/Keyworker (16-18), will be verbally informed of this exclusion with immediate effect unless alternative agreements have been made with the Curriculum Manager.**

21. All details will be recorded on Ontrack by the Head of Faculty/Duty Principal or member of EMT.

22. All staff involved in the teaching and learning of the student or apprentice are then made aware of the exclusion with immediate effect, including the Security Team.

23. A letter/email will be sent to both student/apprentice and Parent/Guardian/keyworker (16-18), Employer, the HE provider (where appropriate) to confirm the exclusion. In this instance, there is no appeal process.

24. A Head of Faculty/Duty Principal or member of EMT can verbally exclude with immediate effect.

**25. The Parent/Guardian/Keyworker (16-18), will be verbally informed of this suspension with immediate effect unless alternative agreements have been made with the Curriculum Manager.**

26. All details will be recorded on Ontrack by a Head of Faculty/Duty Principal or member of EMT

27. All staff involved in the teaching and learning of the student or apprentice are then made aware of the suspension with immediate effect, including the Security Team.

28. The Head of Student Entitlement is informed of the final decision and will offer IAG to the student or apprentice as a duty of care. For students/apprentices under 18, Connexions will be informed to offer any additional support.

29. A letter/email will be sent to both student/apprentice and Parent/Guardian/Keyworker (16-18), Employer, the HE provider (where appropriate) to confirm the suspension.

## Appeal Process

1. The student or apprentice has the right to appeal within five days of the Stage 3 meeting where the decision has been made.
2. The appeal is submitted in writing to the Vice Principal (Appeal Investigator). Where there is any conflict of interest in the VP hearing the appeal, this may be allocated to an Assistant Principal or another Vice Principal to investigate within one working day of receiving the appeal.
3. The Appeal Investigator will have 10 working days to complete the investigation. They will gather and review all evidence such as:
  4. Information gathered from Tutors, Personal Tutors, Curriculum Managers, Head of Faculty, Duty Principal, Safeguarding, Security etc. that led to the Stage 3 Disciplinary meeting. Notes on Ontrack relating to the student/apprentice's behaviour and meeting notes from all Disciplinary meetings and any additional evidence that the student/apprentice provides.
  5. The Appeal Investigator may feel it necessary to discuss with other key staff and indeed the student/apprentice of the issues raised to help them form a decision around the appeal.
6. An outcome letter/email is sent to both student/apprentice and Parent/Guardian/Keyworker (16-18), Employer, the HE provider (where appropriate) including a copy of the action plan/learning contract.

**The Parent/Guardian/Keyworker (16-18), will be informed of the outcome unless alternative agreements have been made with the Curriculum Manager.**

7. All details will be recorded on Ontrack by the Vice Principal and all information e.g. a copy of the letter/email and action plan/learning contract.
8. The Head of Student Entitlement is informed of the final decision and will offer IAG to the student/apprentice as a duty of care. For students/apprentices under 18, Connexions will be informed to offer any additional support.

If the appeal is upheld –

9. All staff involved in the teaching and learning of the student or apprentice are then made aware of the outcome, including the Security Team.
10. The Head of Faculty will form an action plan/learning contract. Extra tutorials will be provided to monitor the student/apprentices behaviour and progress by the Personal Tutor and will be recorded on Ontrack. Review(s) to be carried out by Head of Faculty and recorded on Ontrack to show impact.

11. If the action plan/learning contract is not adhered to, this could result in automatic exclusion. In this instance, the student/apprentice will be verbally informed and a letter/email of confirmation will be sent.

## Appendix 1

In the instance where a student/apprentice is suspected of the use, possession or supply of any illegal substance, the following should be adhered to:

1. Staff and/or Security to inform the Duty Principal
2. Duty Principal to fact find about the alleged incident
3. If appropriate, Security to complete a search accompanied by the Duty Principal and/or the Curriculum Manager or Head of Faculty. In these instances, this may require a member of additional member staff to support or is female or male.
4. Based on the outcome of the fact find and search (if appropriate), the following decisions can be made:
  - Suspension
  - Suspension and police involvement
  - Return to class only if it can be established that the student/apprentice is safe to conduct their learning and no other students/apprentices or staff member's safety is being put at risk.

When a student or apprentice is suspended, the member of staff conducting the suspension will record all details on Ontrack. If in the case of it being a Duty Principal, an incident form is also completed. The following people are informed of the suspension:

- a) Head of Student Entitlement, who will update the Student Records system and inform front line staff
- b) Head of Faculty, who will write to the student/apprentice to confirm the suspension
- c) Security
- d) PA to the Principal, who will store the Incident Form on the Duty Principal site.

If in the case that illegal substances or equipment is found, the student/apprentice is suspended and the Police (101) are to be contacted immediately for advice and next steps. The following may be required:

- Guidance of action for the student/apprentice
- Safe disposal of the substance or equipment at College site. This should be completed by Security and the Duty Principal. All details to be recorded in the Incident Form.
- Transfer and deposit of the substance or equipment to a named Police Station. A member of Security, the Duty Principal or a named person will complete this task. All details to be recorded in the Incident Form beforehand and concluded on return.

No substances or equipment should be left on College premises.

When a student/apprentice returns to class, the member of staff authorising it will record all details on Ontrack. If in the case of it being a Duty Principal, an incident form is also completed. Security will be asked to contribute to the Incident Form. The following people are informed of the incident:

- a) Curriculum Manager, via email/Ontrack
- b) Security
- c) PA to the Principal, who will store the Incident Form on the Duty Principal site.