

STUDENT BEHAVIOUR POLICY AND PROCEDURE (DISCIPLINARY)

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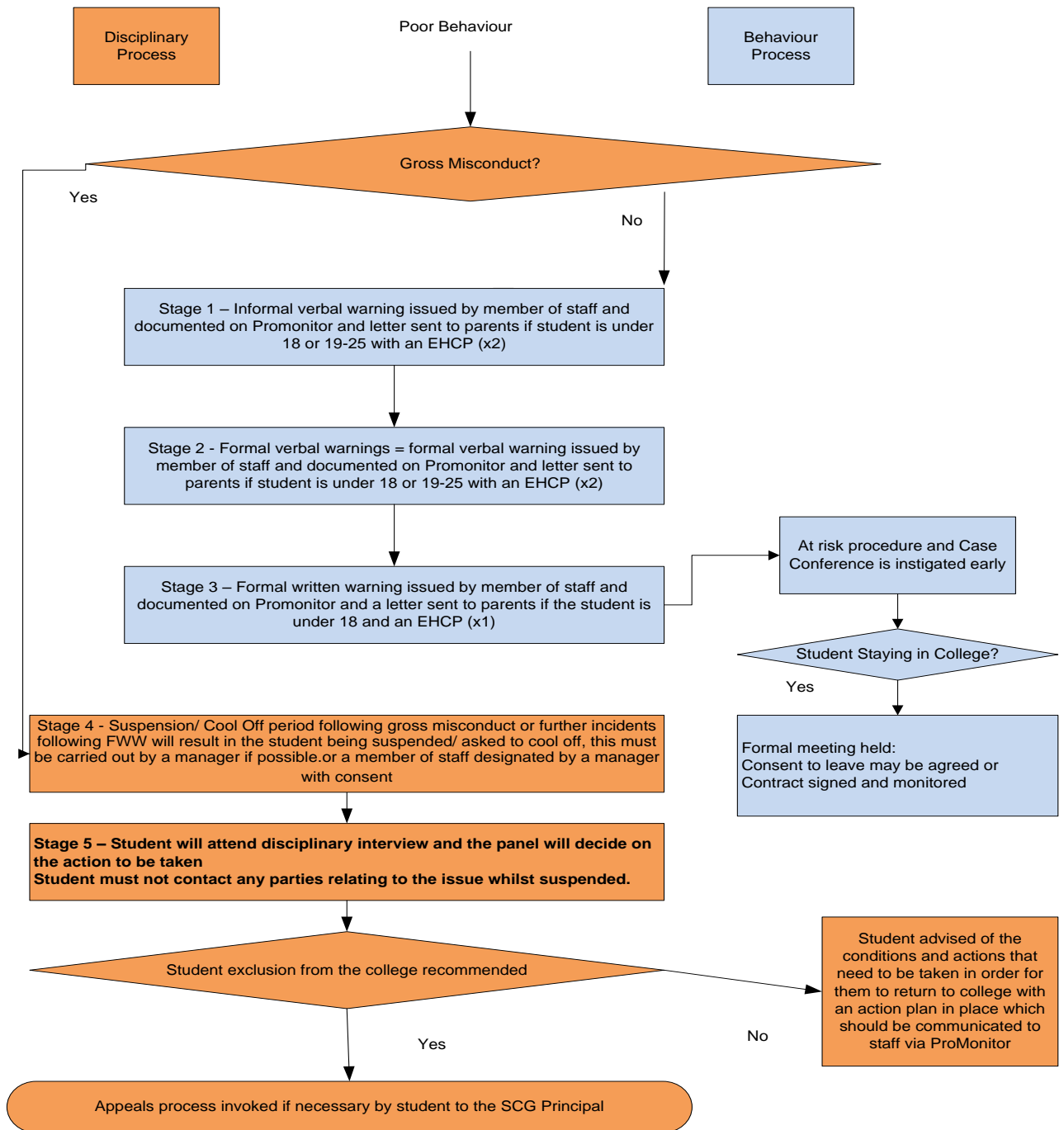
**STUDENT BEHAVIOUR POLICY AND PROCEDURE
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Student Behaviour Procedure – at a glance



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1. AIM

If we are to be successful in providing our students with a positive experience at College and with any college activities then we require reasonable standards of behaviour, both in and outside of the classroom. This Policy and the associated procedure is designed to support the maintenance of good classroom behaviour and to provide a fair and transparent system for dealing with any disciplinary situation that may arise in the classroom or on any of the Shropshire Colleges Group (SCG) campus'. The disciplinary process should only be used after all other avenues within the behaviour process have been explored, including rewarding good behavior and utilising targets to encourage improved behavior unless gross misconduct has occurred. The purpose of this document is to ensure that students and staff can work in a safe and considerate environment that supports learning.

2. SCOPE AND PURPOSE

- a. This Policy applies to all students enrolled at SCG (hereafter known as the Group), whether full-time or part-time (including both Apprentices and Higher Education students), whether or not their course is validated by or associated with any other Institution. Gross misconduct may lead to disciplinary action being taken against a student. Repeated poor behaviour or a single act of gross misconduct may result in a student being suspended or excluded from the College.

3. OBLIGATIONS OF STUDENTS

Students must behave reasonably as described in the Code of Conduct and should follow other College policies and procedures including:

The Student Behaviour Procedure
The Equality and Diversity Policy
The Anti-Bullying and Harassment Policy
The IT Acceptable Usage Policy
The e-safety policy
The Health and Safety Policy
The Criminal Convictions Policy
The Visits/ Trips Policy
Prevent Strategy
The Safeguarding Policy
The Mental Health Policy
The Fitness to Study Policy

All these policies are available on Sharepoint and InfoHub

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4. GROSS MISCONDUCT

The following are examples of gross misconduct which may result in suspension.

- Any breach of any of the student's obligations set out in the code of conduct and including the Learner Agreement and any breach of health and safety or other Group regulations.
- Failure to follow the reasonable instructions of a member of staff, thereby putting themselves or others at risk.
- Aggressive or confrontational behaviour towards a member of staff, student or person visiting or working within the Group.
- Non-compliance with assessment guidelines procedures. Cheating, plagiarism or copying of the work of other students.
- Deliberately or by gross negligence causing damage to any Group buildings, equipment, books or furnishings or any property of others.
- Unauthorised access, use of, or interference with software or data belonging to or used by the Group.
- Theft of property or any other dishonest acts.
- Bullying, harassment, intimidation, taunting, verbal abuse, defamation of character or the use of any violence or threat of violence towards any person.
- Any illegal act which has an adverse effect on the work of the Group or on other students.
- Contravention of regulations regarding the receipt of Bursary and Hardship funds or Educational Maintenance Allowances, or any other grant monies.
- Any incident which misuses cameras, mobile phone cameras or videos where consent to take pictures has not been obtained.
- Possessing or supplying of any controlled drugs or alcohol on Group premises.

This list is not exhaustive and other similar incidents may be considered as gross misconduct, in addition to the examples outlined above. Students may be charged for any damage to property.

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5. POOR BEHAVIOUR

It is expected that all staff will address poor behaviour there and then.

The following are examples of poor behaviour which may result in the behavior procedure being followed which could lead to disciplinary action being taken against students. This list is not exhaustive.

- Intentionally missing lessons or non-attendance at College and repeated poor punctuality
- Noisy or unruly behaviour or the use of foul language.
- Disrupting any class or any other College, whether or not involving staff or other students.
- Smoking in non-designated areas.
- Behaviour which could bring the Group into disrepute, e.g. misconduct on public transport or annoyance to Group' neighbours.
- Non-return of Group library books and other Group property loaned to students for the duration of their enrolment.
- Failing to display a current student ID card and lanyard.

Any serious cases of poor behaviour may be treated as gross misconduct (Please refer to gross misconduct)

6. EQUALITY AND FAIRNESS

Students with learning difficulties and/or disabilities or other students with identified support needs including Looked After Young People and Young Carers, may show behaviour that is determined by factors out of the control of the student, e.g. a disability, medical or drug controlled behaviour. In this case, it is important that the student is reviewed by the Director of Student Services **before** formal disciplinary processes are considered. In exceptional circumstances the Curriculum/Programme Leader will hold a case conference of all students involved in poor behaviour to determine an appropriate way forward. In addition, the Safeguarding and Welfare Team can assist in assessing the problem and can offer advice on suitable strategies. The Director of Student Services will agree with the relevant Curriculum/Programme Leader whether other factors had an effect on the behaviour and advice on the next stage. However, any student with or without learning difficulties or other support needs, is subject to the Group disciplinary procedure in cases of alleged gross misconduct.

Opportunities should be taken to ensure that specific needs or circumstances arising from the protected characteristics of any student are taken into account in the interpretation of this policy.

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7. BEHAVIOUR PROCEDURE

IMPORTANT: All stages/instances of the behaviour procedure **MUST** be recorded on Promonitor, under Welfare and Behaviour.

Stage One - Informal Verbal Warning x2 (see Appendix 3 for letter template)

This stage is for dealing with minor misdemeanors and the first two offences. Where a student is found to have engaged in poor behaviour, a stage one informal verbal warning will be issued by any member of staff, by liaising with the course tutor assigned to the student's enrolment. Where an informal stage one verbal warning is given, the learner must be informed, why they are receiving the warning and a copy should be sent to parents/ carers if the student is under 18. Strategies to address any issues should be discussed and tracked. The warning must then be recorded on Promonitor, under Welfare and Behaviour by liaising with the course tutor assigned to the students enrolment.

Stage Two – Formal Verbal Warning x2 (see Appendix 4 for letter template)

Stage two is for continued poor behaviour that has not been resolved within stage one, formal verbal warnings will continue to be dealt with by the Tutor of the student involved. Mediation can be considered at any stage of the procedure. The warning must be recorded on Promonitor, under Welfare and Behaviour and strategies reviewed and agreed with the student (s). A copy of the warning must be sent to parents if the student is under the age of 18.

There is an option at this stage to create a contract stating the behaviour required from the student.

Refer to Appendix 1 and 2 for subject contracts and agreement.

Stage Three – Formal Written Warning x1 (see Appendix 5 for letter template)

Students can be 'fast tracked' to this stage of the procedure, if the offence causes major disruption or where the offence, though not gross misconduct warrants the behaviour procedure to be 'fast tracked'.

A formal written warning will be issued in a meeting with the student (see letter template FWW 'Formal Written Warning'). There is also the opportunity to create a contract stating the behavior required from the student and issuing this at the meeting. The tutor who issues the written warning must liaise with the student's Curriculum/Programme Leader who may refer the student to Student Services or to the Safeguarding and Welfare Lead if additional support is thought to be necessary. A copy of the letter should be uploaded onto Promonitor, under Welfare and Behaviour

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and a copy **MUST** be sent to parents/ carers if the student is under 18, giving them the opportunity to attend the meeting. With every written warning a copy must be supplied to the Student Support Tutor and Progression Specialist so that the “At Risk” register can be updated.

Refer to Appendix 1 and 2 for subject contracts and agreement.

8. DISCIPLINARY PROCEDURE***Stage Four - Suspension / Cooling Off***

At any stage where there is a danger of further poor behaviour or gross misconduct, a student may be suspended from the Group immediately or asked to ‘cool off’ at home by a manager at the Group where possible or any other member of staff, where it can be demonstrated a manager wasn’t available. In some circumstances a manager might request a member of staff to suspend the student to enable the manager to be on the panel.

In a case of gross misconduct involving more than one student, for example, a fight, all students involved will be suspended during the investigation and until a disciplinary hearing takes place. Suspension / cooling off in this case is not a punishment, but an opportunity for the Group to investigate the incident/ allegations and to protect all parties from allegations or further incidents.

Students with learning difficulties and/or disabilities or other students with identified support needs including Looked After Young People and Young Carer’s, may show behaviour that is determined by factors out of the control of the student, e.g. a disability, medical or drug controlled behaviour. In this case, it is important that the student is reviewed by the Director of Student Services **before** formal disciplinary processes are considered.

A student in receipt of Bursary payments who is suspended ‘pending’ disciplinary, should not be paid their Bursary. If the students involved are allowed to return to College with no conditions applied, they will receive their Bursary back-paid for the period of their suspension, unless exceptional circumstances are present and reviewed by the Student Services Support Manager.

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Stage Five – Disciplinary Hearing and Decision (see Appendix 6 for letter template)

In the case of gross misconduct or written warnings that have not resulted in improved behaviour the student will be asked to attend a disciplinary hearing and written notice of this hearing must be provided within five days (See template).

The Chairperson conducting the disciplinary interview will not have had prior involvement at any previous stage of the disciplinary process relating to the complaint, but will have seen all the documentation. All members of the Group's Academic Leadership Teams and Group Operational Team may be called upon to chair disciplinary hearings. Panel members could be any member of the Group staff elected by the Group's Academic Leadership Teams, which must include a member of staff from Student Services to ensure that behaviour and disciplinary events are treated fairly across the Group. There should be a minimum of three panel members (including the Chair). However the member of staff who suspended the student cannot form part of the disciplinary panel, to ensure that it remains impartial and fair. Any student with a recognised support need may be accompanied by an advocate.

The panel will take the student through the allegations. Normally, witness statements will be in writing and may be referred to throughout the panel meeting, whilst protecting the identities of other students. The student will be given the opportunity to state his or her case and to question the evidence presented, the Chairperson will then bring the interview to a close. The disciplinary panel will make a disciplinary judgement which will be notified in writing to the student and their parents/carers within five working days of the interview.

Within five days of the panel meeting, the student will be given written notification of the decision of the panel. The decision may state that:

- no disciplinary action should be taken
- that a lesser disciplinary action should be taken, such as the issue of a contract of behaviour
- that the student is expelled, but is given advice and conditions regarding a potential application for a place in the following academic session or is signposted to other agency providers for support
- the student is permanently expelled. (Nb. This information should be passed to the MIS team to be entered on the Group's MIS system – students who are excluded should be 'flagged' on their record, to avoid the potential of the student in question returning, unnoticed, the following year) and referred to Shropshire Youth or other relevant organisations.
- Mediation can be considered at any stage of the procedure.

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If the decision is for expulsion then the Chairperson will liaise with the Group Vice Principal for Curriculum Support and Business Development or the Group Vice Principal for Quality and Curriculum to ensure that all other avenues have been exhausted.

Appeals

Any student will have the right to appeal to the Principal within ten days of the decision to exclude them. The Principal or their nominee will arrange an appeal interview within twenty one days and invite a Senior Leadership Team member (this person must not have been on the original panel) to attend this meeting. A meeting will be held with the original panel prior to the appeal interview to discuss the reasons for the decision. The student will be given at least five days' notice of the time and place of the appeal interview and will be entitled to be accompanied by a friend, relative or carer.

- The Principal will need to be handed the student's details as soon as notice of the appeal is received.
- Within five days of the appeal interview, the final decision by the Principal or his nominee will be confirmed in writing to the student. There is no appeal against the Principal's decision.

Appeals are not accepted for any decision other than exclusion.

9. CRIMINAL OFFENCES

Where any member of staff has reason to believe that a student may have committed, or may be intending to commit, a criminal offence, the Group may refer the matter to the Police and may still continue disciplinary proceedings under this procedure irrespective of any criminal process.

10. STUDENTS UNDER 18/ SPONSORED STUDENTS

If a student under 18 years of age at any stage of either the behavior or disciplinary process, a parent or carer will be invited to attend any disciplinary meetings, hearings or appeal interviews and will also be sent copies of any warnings issued.

If a student who is being sponsored at the Group by an employer, training agency or a partner institution (i.e. University) is given a formal written warning or expelled or suspended the employer, the partner institution or training agency will be informed whenever practicable.

11. SCHOOL PUPILS 14-16 YEARS

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Instances relating to the discipline of school pupils will be dealt with in accordance with the school's disciplinary procedure.

12. HIGHER EDUCATION STUDENTS

Higher Education students are subject to this policy unless the nature of the allegation evokes the partner HEI's relevant policy.

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Appendix 1 - Subject Contracts and Subject Agreements Guidance

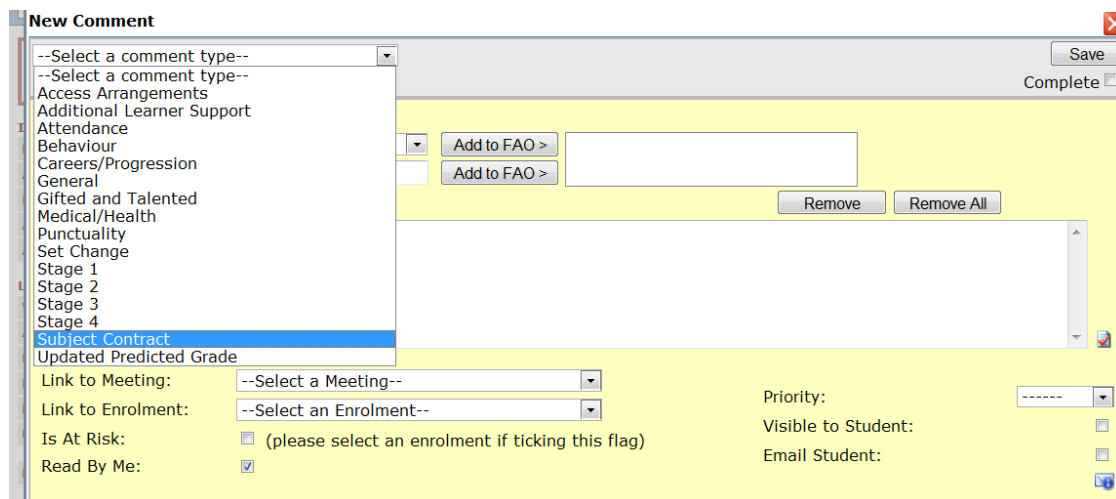
This guidance is set in the context of the Group Student Behaviour (Disciplinary) Procedures where

- Subject Contracts are instigated by Curriculum/Programme Leaders, and involve informing parents.
- They involve the signing by a student of a document that is constructed by subject staff setting out key criteria for continuation on the course. (Exemplar available)

If a Subject Contract is being used please adhere to the following guidelines

- 1. Ensure that a comment is placed on Pro-Monitor to say that the student has been placed on a Subject Contract**

In the student’s Learner Comments area create a new comment selecting the Subject Contract comment type as shown below. This is really important as we run reports on stage 2 Subject Contracts and they are tracked by the Student Support Manager. Students on subject contracts are also placed on the At Risk Register. Please FAO the Student Support Manager in on this comment so that they are aware of the contract.



Make this visible to the student so that they can clearly see in Pro Portal that the subject contract has been issued to them.

- 2. Place an electronic copy of the contract on the Uploaded Documents area of the student’s Pro-Monitor area**

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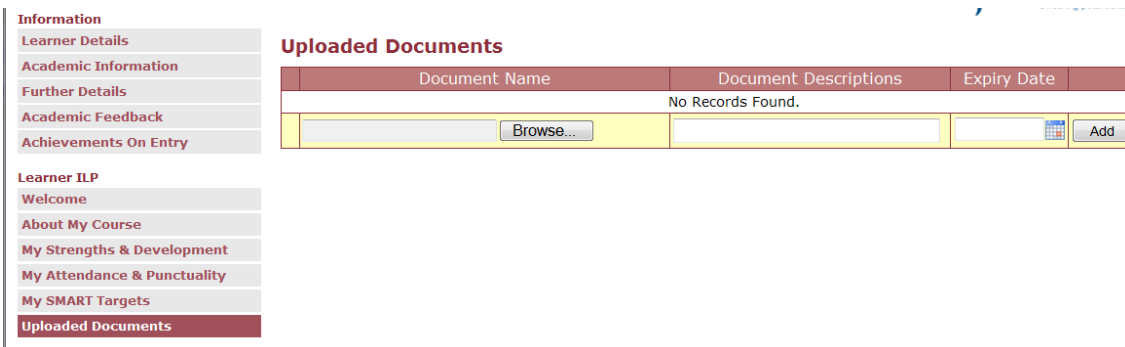
To do this click on the uploaded documents link on the left hand side of the student’s main screen.

Click on browse and you will then be able to locate the file in which you have saved the contract in your own network area.

Type in a name for the document e.g. ‘Sociology Contract’ under the heading Document Descriptions.

There is no need to add an expiry date

Click on the Add button to upload your document.



3. Send a copy home to parents

This is essential for all subject contracts (as failure can have a significant impact on a student’s programme of study)

After the contract has been signed by the student, please keep a paper copy in your departmental records. The college will send a copy (taken from the uploaded documents area) to the home address, to be signed by parents and returned to the Student Support Manager for placing on the student’s file

A standard covering letter will be included with the contract

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4. Review the contract periodically

- It is good practice to include a review date (set at the Programme/Curriculum Leader's discretion) on a contract.
- Around the set date a discussion should take place with the student to look at how the contract has been observed.
- It may be renewed with a new review date. Please pass to the Admin Team for the new version to be sent home to parents and the document uploaded.
- Alternatively, the student may be taken off subject contract (Please make a note to this effect on Pro Monitor and contact parents to inform them).
- If a student is failing to meet the terms of their subject contract please document the detail on the comments section of Pro-Monitor (General) and discuss how to proceed with the Student Support Manager.

Subject Agreements

Subject areas not wishing to involve parents at this stage, but wishing to set up a formal agreement with students, should record the presence of a subject agreement on Pro-Monitor, under the General comment type. (Unlike subject contracts, because there is not a specific comment tab for this category, this means that this will not be picked up on a regular basis by the Student Support Manager.) This agreement will be a matter within the department and as parents are not contacted it is not seen as a measure via which a student can be directly asked to leave a subject.

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Appendix 2 – Subject Contract

Student:	Tutor Group:	Date :
Subject :	Review Date :	

Following concern about your progress in this subject, we are placing you on a subject contract as outlined below. This needs to be signed by you and your parent/carer.

The conditions of your contract with this subject are as follows (select the appropriate):

- i. To catch up on missed work by _____
- ii. To attend all lessons promptly.
- iii. To attend subject support sessions to which I am directed by the teacher.
- iv. To always work to the best of my ability.
- v. To complete homework by the required date.
- vi. To concentrate in class and not distract or be distracted by others.

Your progress will be reviewed on _____.

If your progress is satisfactory and you are meeting the terms of your subject contract, the contract may cease.

Failure to meet any of the terms of this contract will put in jeopardy your continuation in this course and may affect the viability of your Programme of Study in college. You will be referred to your Student Support Manager who may withdraw you from this course.

I accept the terms of this contract.

Student signature: _____ Date: _____

I understand the terms of the contract and the implications if my son/ daughter does not meet those terms.

Parent/carer signature: _____ Date: _____

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Appendix 3 – Informal Verbal Warning Template

NAME:

ADDRESS:

Dear Parent/ Carer

I write to inform you, that poor behaviour has been experienced at college, please see more details below;

 <p>SHREWSBURY COLLEGES GROUP</p>	<p>Stage One - Informal Verbal Warning (We allow 2 instances of informal warnings before moving onto the next formal stage)</p>	
Name of Student:	Name of staff member issuing warning:	
Nature of issue (<i>include dates, locations and all involved</i>):		
Action for student to take:		
COPIES	Student? <input type="checkbox"/>	
	Other staff (Names)? <input type="checkbox"/>	
Date:		

We would welcome support from you to address this poor behaviour, to prevent further progress of the disciplinary process being initiated. If you would like to speak to me please call 01743 342.... or email me on

Yours sincerely

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TUTOR NAME

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Appendix 4 – Formal Verbal Warning Template

NAME:

ADDRESS:

Dear Parent/ Carer

I write to inform you, that poor behaviour has been experienced at college, please see more details below;

 SHREWSBURY COLLEGES GROUP	Stage Two - Formal Verbal Warning (2 can be issued before moving onto the next stage)
Name of Student:	Name of staff member issuing warning:
Nature of issue (<i>include dates, locations and all involved</i>):	
Action for student to take:	
COPIES	Student? <input type="checkbox"/>
	Other staff (Names)? <input type="checkbox"/>
Date:	

We would welcome support from you to address this poor behavior, to prevent further progress of the disciplinary process being initiated. If you would like to speak to me please call 01743 342.... or email me on

Yours sincerely

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TUTOR NAME

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Appendix 5 – Formal Written Warning Template**Stage 3**

Formal Written warning letter template about repeated misconduct from Tutor/copy to parents/ carers if student under 18 but can be used as a template for students over 18 or aged 19-25 with an EHCP.

<< *Date*>>

<< *Name*>>

<< *Address*>>

Dear <<*student Name*>>

Following discussions and actions for improvement regarding your frequent poor behaviour, the course team still have the following concerns:

1. <<*Insert*>>
2. <<*Insert*>>
3. <<*Insert*>>
4. <<*Insert*>>

This letter is a **FORMAL WRITTEN WARNING** that your behaviour must improve as agreed if you are to continue on your course. At present you are unable to learn effectively yourself and/or you are making life difficult for others in your group. You are reminded that your agreed targets for improvement are as follows:

1. <<*Insert*>>
2. <<*Insert*>>
3. <<*Insert*>>
4. <<*Insert*>>

This warning will stay in place for 6 months. Please contact me if you or your parents/carer would like further discussion about the problems and actions agreed. If your behaviour does not improve during your next week of attendance <<*Date*>> disciplinary action will be taken and you may be excluded from the College. I do hope that your problems can be resolved and you can complete your course successfully; however if you feel you need more support to help improve your behavior please contact Student Services or your Tutor.

Yours sincerely

<<*Tutor*>>

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Appendix 6- Letter from Curriculum Leader template confirming suspension.**Stage 4**<< **Date**>><< **Name**>><< **Address**>>Dear <<**student Name**>>

The written notice MUST state:

- The details of the behaviour experienced and the allegations against the student (These must be sufficiently detailed for the student to prepare a response to the allegations beforehand, but will protect the identities of other students.)
- The student's entitlement to bring a relative or friend.
- Confirmation of time and place of interview and a reminder that the student should not be on Group premises in the intervening period if they have been suspended / asked to 'cool off'.
- That a copy of the Student behaviour disciplinary procedure flow chart is enclosed.

The following is an example of text that can be followed:

(Further to your suspension / cooling off period from the <<Programme title>> course on <<date>>), I am requesting that you attend reception at <<London Road/English Bridge/Welsh Bridge>> for a disciplinary interview on <<date & time>>. (You should not attend College until the disciplinary interview has taken place.) At the interview you may be accompanied by your parents, carer or a friend.

You are alleged to have been involved in <<insert details>> on <<date>>.

The disciplinary interview on <<date & time>> is taking place so that we can hear your explanation of events and also to review the statements made by staff and student witnesses during the investigation which is taking place during your suspension. The disciplinary panel will then decide on the action to be taken. (Please note that this suspension is not a punishment but an opportunity for the College to carry out a full investigation into the alleged gross misconduct.)

Yours sincerely

<< **CL/PL**>>