



**Positive Behaviour Policy & Disciplinary Procedures
(Students) – Number 09
June 2024**

1. Policy Statement/Purpose/Introduction

This policy outlines Oaklands College's approach to the behaviour of students. It includes process, investigations, response times and appeals processes.

The purpose of this policy is to:

- Set out and maintain expectations and responsibilities of student behaviour and conduct.
- Enable staff to safeguard and promote the welfare of students;
- Encourage a culture which makes our College a safe and respectful place in which to learn.

2. Strategic Plan Objective and Themes Links

- 2.1 Outstanding Teaching, Learning and Assessment
- 2.2 Beneficial Partnerships
- 2.3 Inclusive, Thriving Community

3. Scope of this policy

- 3.1 This policy applies to all students studying on any course at any level and all staff for implementation. All students should be made aware of their responsibilities and the College's expectations of them as part of their induction, through discussion of:

- College Values
- College Codes
- Prevent including British Values and risk of radicalisation

4. Monitoring Impact

This will be monitored regularly via Curriculum, Performance and Student Experience meetings. In addition, regular statistics will be discussed at SLT.

5. The Behavioural Agreement

- 5.1 The contract establishes expected norms and patterns of behaviour. The College sets high standards for the conduct of its staff and expects the same high standard of conduct from students. To support this, all students have agreed to a student contract which is:

Positive Attitudes to Learning and Development:

It is expected that Students will:

- Develop a positive attitude towards your personal learning and development by working hard, being punctual and attending all your lessons, including maths and English.
- Actively join in all parts of your course, including enrichment activities and work experience and make sure you follow all College and awarding organisation rules.

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- Work towards the targets you have agreed with your tutor. This will help you to achieve your qualifications.
- Take part in independent learning activities. This will help you to prepare for work and other courses you may do in the future.
- Come prepared to all sessions with uniforms/PPE (where required), pens, paper, files etc.
- Hand in all your work on time.
- Respect the beliefs, religions, and cultures of others. Treat everyone politely and respectfully.
- Use the College facilities with respect and care. Make sure you always follow the health and safety rules and regulations – for example by wearing your student lanyard, only smoking in the designated shelters etc.
- Behave responsibly. For example, always let your tutor know if you cannot attend your class. Only use mobile phones in lessons when your tutor has given you permission.
- Avoid making rude, hateful, or offensive comments about the College, its staff or students in any form including email, letter, phone, text message or on social networking sites (for example, Instagram and Twitter).
- Avoid any bad behaviour, including using bad language, bullying or harassment, including sexual harassment that may cause offence or harm to College staff, students, visitors and property.
- Obey the rules and you must not drink alcohol, take drugs or carry knives and weapons on College premises.

6. Bullying

6.1 Bullying is defined as the repetitive, intentional harming of one person or group by another person or group, where the relationship involves an imbalance of power. Bullying is also a form of child-on-child abuse and constitutes serious misbehaviour.

Bullying is:

- Deliberately hurtful.
- Repeated, often over a period of time
- Difficult to defend against

6.2 The College is committed to ensuring that everyone is equally valued, and no-one is mis-treated. Harassment and bullying in any form are unacceptable and will not be tolerated.

6.3 The College takes various measures to raise awareness and address the potential problem of bullying and harassment. These measures are not exclusive, and each case is judged on its merits with the appropriate action taken. Bullying will be dealt with in accordance with the College's disciplinary procedures.

7. Child on Child Abuse

All staff are aware that children can abuse other children (often referred to as child-on-child abuse), and that it can happen both inside and outside of college and online. Sexual violence and sexual harassment are never acceptable, and it will not be tolerated. It should never be passed off as "banter", "just having a laugh", "a part of growing up" or "boys being boys", "girls being girls." All staff will challenge all inappropriate behaviours between children, that are abusive in

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nature. In such instances, the Safeguarding team and Curriculum Team Lead must be informed, The Behaviour policy will be followed, and the appropriate support will be provided by the Safeguarding Team and Curriculum area.

8. Stages of Disciplinary Procedure

- 8.1 All members of college staff are required to challenge inappropriate behaviour e.g. behaviour in corridors, cafeteria, non-wearing of ID badges and smoking and vaping in undesignated areas. More serious misconduct, necessitating formal action, should be reported to the curriculum area in which the student has enrolled using ProMonitor. If the incident is serious or is in danger of escalating, then Security should be called to attend immediately Business Support staff should raise the concern via ProMonitor with appropriate teaching staff within the student's area of study (Business Support staff who do not have pro-monitor access need to refer the concern directly by phone/email to the Curriculum Team Manager).
- 8.2 All formal proceedings should be addressed within the curriculum areas and must be recorded centrally on ProMonitor. All details of students recommended for exclusion are retained by the office of the Deputy Principal Curriculum, Performance & Student Experience.
- 8.3 Where a student's behaviour is not satisfactory, it is the responsibility of the individual member of staff to identify at what stage the procedure should be applied.
- 8.4 If external factors beyond the student's control are considered a potential cause for misconduct, the fitness to study protocols should be considered.
- 8.5 Concerns should be shared with parents/carers and employers, as and when appropriate in accordance with GDPR guidelines.
- 8.6 The table in **Appendix 1** sets out the stages of the procedure and outlines the person responsible at each stage.

9. Delivery of this Policy

Positive Behaviour

9.1 Transition into College and Induction

The first 6 weeks of the students' journey is the ideal time to foster positive relationships and to model our College's high expectations. The induction programme ensures that students have a clear understanding of what good attendance and punctuality will look like, and how this will have a positive impact on their achievement and success at College and beyond. The whole College approach to Behaviour for Learning and shared responsibilities, are to be delivered during induction for all student's new or returning, by; tutor or Learning Mentor. It will be further reinforced via the tutorial process. This will ensure that all students know who to go to for support and to promote key messages about being ready for learning, respectful and safe.

9.2 Celebrating Success

College staff will celebrate the success of all students, whenever and wherever it occurs in a variety of ways. Focussing on success and positive outcomes is essential in developing a positive culture and ethos across the College.

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9.3 Feedback

The simplest form of reward is positive dialogue, which supports improvement in learning. Formal, written feedback and informal discussion should emphasise positive achievement. All staff should give positive feedback to students whenever and wherever possible, via compliments on the students ILP. This builds self-esteem and helps to build and support the ethos we are aiming for. Staff should be particularly careful to avoid sarcasm, personal criticism, and comments which could be seen to foster low expectations. Criticism should be constructive and focused on specific actions and behaviours, or on work, rather than on students as individuals. It should be accompanied by indications of how to do better and praise for something well done. Work that is returned in a timely way and fully marked shows that staff have valued the work of students.

9.4 Attendance

90% attendance is the cross-college minimum standard; however, the aim is for students to achieve 100%. Exceptions include absence for genuine illness or external factors such as a family bereavement, and in those cases the College should be notified by a parent or guardian. The College is committed to preparing our students for the world of work, and as such all absence will be tracked, challenged and sanctions put in place on the day an un-notified absence occurs.

9.5 Fitness to Study

The College is committed to enabling all students to complete their programme of study successfully and achieve their potential. There are occasions, however, when physical or mental health issues are so complex or so significant that this is not possible. Each student will be considered on a case-by-case basis. Where it is decided that a student may be able to continue with their studies an assessment of need will be completed by the College, to determine if it is within our expertise and capacity to reasonably offer the support required. The responsibility to obtain and supply evidence of fitness to study, and any involved costs, lies with the student / parent / guardian. This evidence may only be for a finite period, if circumstances change a student will be re-assessed when required.

Ideally, a clear consensus would always emerge regarding the best way to progress, however, this will not always be the case. There will be occasions where the college believes that it has exhausted the support options available, it has made reasonable adjustments in all aspects of college life, but the student is unable to maintain their fitness to study. These situations impact negatively both on the student, since their welfare is at risk, and on the college since there is an excessive and unreasonable demand on resources.

If the College reaches a decision, after consultation with the student, parents / guardians and multiagency partners (if applicable), that a student should withdraw then this will be actioned. If it is agreed that a restart in the following academic year is an option, then this will only be possible if the student is able to provide evidence that their health has improved sufficiently, so that they are fit to resume study without further prolonged absence.

A meeting may be held to support complex needs of a student which may involve accessing the support of Head of Safeguarding, Senior Curriculum Coordinators, Curriculum Team Lead and or DSL (or DDSL), Tutor and multiagency partners. The students professional support network will decide on the feasibility of the student's continued place at the College. [Oaklands College Fitness to Study Policy](#)

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9.6 The First 42 days

This will be known as the probation period. During this probation period, students will be supported through the process by their personal tutors and teachers. Students will complete their college induction so that they are fully prepared to be a successful Oaklands College student.

Some students will not be successful in meeting the common College targets and through meetings and e-ILP updates these students will be supported, challenged, and sanctioned to make rapid improvements.

Students who do not meet the College's high expectations will not pass probation and will be removed from the College roll and be referred by the Careers Advisor to external agencies.

At the start of the probation phase there will be a small number of students who will be placed on a Stage 3 (Manager Contract) from the start of the academic year. This will usually be due to risk assessment actions. Such contracts will be issued by the Curriculum Team Manager.

The College will communicate student probation progress through the Pro-Monitor e-ILP only.

If a student is removed from the college roll during this period they do have the right to appeal. Appeals against being removed from the college roll should be in writing, setting out the reasons for the appeal, and should be received by the college within 5 working days of the date of the hearing and addressed to appeals@oaklands.ac.uk and it will be assigned to a senior post holder.

10. Not meeting expectations

If students continue to not to meet College expectations, despite receiving informal support such as student meetings with, tutors or Learning Mentors; under performance and inappropriate behaviour in and around the college, it may be necessary to invoke disciplinary procedures. There are 4 stages to our process these are:

- Stage 1 – Formal Verbal Warning (Cause for Concern)
- Stage 2 – Formal Written Warning (Misconduct)
- Stage 3 – Formal Final Written Warning (Serious Misconduct)
- Stage 4 – Formal Final Disciplinary Hearing which could result in permanent exclusion (Gross Misconduct)

11. Process / Procedures

11.1 Suspension (working remotely)

In dealing with allegations of gross misconduct, suspension may be used to remove a student. In addition, students may be asked to work remotely if there is a potentially difficult or dangerous situation, while an investigation is carried out. Students can only be suspended by a member of the college Senior Management Team or Duty Manager.

11.2 Apprentices

For Apprentices, suspension will be authorised by the Deputy Principal Strategy, Partnership & Business Development or a member of the college Senior Management Team or Duty Manager. Employers should be informed of suspensions in line with GDPR.

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11.3 Students under 18 and Vulnerable Adults

In order to ensure that all necessary safeguarding obligations are met, no student under the age of 18 or considered to be a vulnerable adult, can be suspended and removed from premises without first contacting a parent or carer.

11.4 Care Experienced Children and students with an EHCP

The local authority must be contacted by a member of the student experience team if a student who is Looked After or has an EHCP is suspended.

11.5 Educational Visits and Off-Site Activities

In the event that disciplinary action is required whilst on an educational visit, the named leader or senior member of staff shall make a discretionary decision regarding the most appropriate immediate course of action, considering the principles of this procedure. This must be followed up on return to college with an appropriate ProMonitor record.

11.6 Drugs and Alcohol

Every allegation that is made under the Drugs and Alcohol Policy will result in a pre-discussion between the department Faculty Director and a Vice Principal or Director to agree the suitable disciplinary stage that the allegation will be initially investigated under. This will be either at stage 3 or stage 4. [Alcohol and Drugs Misuse Policy \(Students\)](#)

11.7 International Commitment to Engagement and Compliance

The College expects all international students to maintain active engagement with their studies and comply with attendance requirements. Persistent non-engagement, such as missing 10 consecutive contact points (10 consecutive College days) without authorisation, will result in formal reporting to the Home Office and may lead to visa curtailment. Students are responsible for notifying the College promptly of any absence and providing supporting evidence where required. Failure to engage in College studies may lead to withdrawal of sponsorship, notification to the Home Office, and visa curtailment, requiring the student to leave the UK within a specified period. It will also mean the disciplinary procedure will be invoked.

12. Formal Procedure – Principles

12.1 Recorded

All aspects of students' behaviour interventions must be recorded on the student's personal record on ProMonitor.

The following information relates to the period of time that the college shall retain information on students who have been referred as part of this process. It is the responsibility of the Chair of meetings to notify the MIS Team in the event of permanent exclusion.

| Outcome | Minimum Duration | Notes |
|--|---|-------|
| Disciplinary meeting Formal Verbal Warning (Cause for Concern) | College Programme(s) duration or lesser depending on reason | |

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| Formal Written Warning (Misconduct) | 1 Year or course duration | May be referred to in any application that the student may make to the college for any future course of study. |
| Formal Final Written Warning (Serious Misconduct) | Course duration | May be referred to in any application that the student may make to the college for any future course of study. |
| Formal Final Disciplinary Hearing which could result in permanent exclusion (Gross Misconduct) | 2 Years or lesser duration depending on the circumstances | <p>A block on applications from excluded students is placed on the college Management Information System.</p> <p>Excluded students may, after writing to and meeting with the Deputy Principal Curriculum, Performance & Student Experience, be permitted to apply for a further course in the college. Such permission will be at the discretion of the Deputy Principal Curriculum, Performance & Student Experience.</p> |

12.2 Confidentiality

Some aspects of discussions may be confidential or inappropriate to share amongst a wider audience. The person completing the records on ProMonitor should be sensitive to this and only include information as appropriate or retain a separate record of confidential discussions.

12.3 Action-planned

In all cases, the disciplinary meeting should identify the action that is required by the student to reach the agreed target(s) for improvement.

12.4 Additional Support

Staff should always consider a student's needs in terms of their mental health, Special Education Needs, Educational Health Care Plans or Looked After status to determine whether any additional support that may be required to aid the student's progress.

12.5 Reviewed

All disciplinary meetings must be reviewed to ensure achievement of the target(s). This should be between 1-4 weeks as appropriate with a follow up review if necessary.

12.6 Supportive

The disciplinary process is intended to identify what the college can do to support the student in improving their conduct/attitude.

12.7 Representation

Students should be offered the opportunity to bring a representative to any meeting. This could be a family member, friend, a member of the Student Inclusion and Support Team.

12.8 Failure to attend a meeting

If a student has had reasonable written notification of the need to attend a meeting but fails to do so, it is at the discretion of the Chair whether the meeting will proceed without the student being present and sanctions imposed in their absence.

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13. Gross misconduct

In the event of alleged gross misconduct, the Manager will initiate Stage 3 disciplinary procedures, i.e. a Stage 3 Disciplinary Hearing and record on ProMonitor. In this event, the Director can authorise

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a temporary suspension (see note below on exclusion) of up to 7 working days. A Director will convene a Stage 3 Disciplinary Hearing and will either:

- Issue a written warning
- Issue a final written warning
- Authorise a temporary exclusion (max 10 working days)
- Or recommend that the student is permanently excluded.

14. Exclusion

In the event of a student being recommended for exclusion, a Vice Principal will convene a stage 4 exclusion panel and may either:

- Issue a permanent exclusion
- Issue a written or final written warning or
- Issue an alternative appropriate sanction.

15. Disciplinary Hearings, Exclusion Panels and Appeals

Evidence must be provided to the Vice Principal Chair of the panel, 5 days prior to the disciplinary hearing.

At any disciplinary hearing, exclusion panel or appeal, the Chair will open proceedings by introducing those present, explaining their roles. The Chair will then explain the procedure and state the possible outcomes.

The case against a student will then be made by the appropriate directorate staff member.

The student, supported by an appropriate person if requested, will then state their case outlining the issues from their perspective.

The Chair will then take questions in turn from the curriculum staff and the student or their representative. When all relevant issues have been explored the Chair will ask for any final comments from the panel, the student and their representatives and any others present.

The Chair will close the hearing and inform the student that a decision will be taken shortly and that they will be notified in writing within 5 working days.

16. Appeals

A student may appeal the decision of the Exclusion Panel (Stage 4). Appeals should be sent in writing to the Deputy Principal Curriculum, Performance & Student Experience or any other senior post holder within 5 working days of the student being informed of the outcome of the panel. The following grounds for appeal are permitted:

- The college failed to follow procedure
- New evidence has come to light
- The student believes that the outcome is discriminatory

At the appeal stage the Deputy Principal Curriculum, Performance & Student Experience decision is final. The appeal is the final stage of the process.

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16.1 Appeals for Further Education Students

Following the above appeal process, any Further Education students who are still unhappy with the outcome, may write to The Education and Skills Funding Agency (ESFA). You should contact the ESFA if your appeal refers to any aspect of your education at Oaklands College other than higher education (HE).

16.2 Appeals for Higher Education Students

Following the above appeal process, any Higher Education students who are still unhappy with the outcome, may write to The Office of the Independent Adjudicator for Higher Education (OIA).

There is more information about making a complaint to the OIA here:

<https://www.oiahe.org.uk/students>

17. Liaison with external agencies

If, after investigation, the behaviour is deemed as serious criminal behaviour or activity (i.e. theft, racism, and homophobia, physical or verbal abuse, threats of radicalisation or violent/non-violent acts of extremism) then the investigation may be passed over to the Police and/or other appropriate external agencies.

Who needs to understand this policy and how will they know about it?

The following training and awareness will be put in place:

| Who? | How? |
|--------------------------------------|---|
| Students, parents/carers | Available on the college website Included in inductions |
| College managers | Included in team meetings Included in all staff inductions |
| All teaching staff | Included in team meetings Included in all staff inductions |
| All staff who interact with students | Included in team meetings Included in all staff inductions |

18. Returning to College After Exclusion

Following the duration stated on an exclusion sanction, a student that has been excluded from the college may apply to return in a subsequent year. In this instance a panel meeting will be held to

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determine suitability and will be chaired by the Deputy Principal Curriculum, Performance & Student Experience. The following panel members will assist and advise – Admissions Manager, Designated Safeguarding Lead and the Director for the area in which the student wishes to study. This panel will review the application alongside a reference from an external person /agency which details what the student has been undertaking since leaving the college. This panel will then make a recommendation based on the evidence submitted to the Principal on the way forward for approval to go forward for interview with Director of Faculty or rejection.

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Oaklands College
Date February 2024
Function Equality

This policy has been examined for equality impact i.e. the impact that this policy will have on different groups of current or potential learners, service users and staff taking into account the protected characteristics of the Equality Act 2010 (age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sexual orientation)

1. If equality impact analysis is not relevant to this function give reasons and proceed to section 5 below

2. In what ways could this function have a negative impact on any of the groups above? What actions have been taken to eliminate these?
Behaviour is not managed consistently. Clear guidelines and expectations have been set to avoid inconsistencies.
Mitigation and support mechanisms are provided for learners with learning difficulties including the fitness to study policy.

3. In what ways could this function have a positive impact on any of the groups above? How will this function be used to eliminate discrimination, advance equality of opportunity and foster good relations between different groups? Are there plans for the future which will further advance equality?
This policy ensures that clear behaviour expectations are clear to all students and the behaviour which does not comply with these expectations will be challenged.

4. What evidence supports your judgements? E.g. Consultations, observations, expert opinions, quantitative or qualitative surveys? If the evidence is in the form of an additional document, where is it stored?
Policy updated by the Quality Department including the lead for E&D and the Student Experience.

5. Name and job title of manager responsible:

Vice Principal Safeguarding, Higher Education, & Academies

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Appendix 1

Managing Behaviour and Performance - A Summary of Formal Procedures

| Examples (not exhaustive) | Cause for Concern | Stage 1 (Misconduct) | Stage 2 (Serious Misconduct) | Stage 3 (Gross Misconduct) |
|--------------------------------|---|---|--|---|
| | <ul style="list-style-type: none"> Poor behaviour Unsatisfactory standards of work Unsatisfactory attendance and/or punctuality Inappropriate use of mobile phones or other technologies Failure to meet assessment deadlines Smoking or vaping in non-designated areas on site | <ul style="list-style-type: none"> General unsatisfactory and thoughtless behaviour / disruption Acting irresponsibly and putting self or others at risk Consistent failure to complete or hand in work on time Repeated poor attendance and/or punctuality Consistent and inappropriate use of mobile phones or other electronic devices, i.e. mobile phones in teaching areas Failure to show college ID when asked Copying of work (a couple of sentences from a book or a small section downloaded from the internet) Failure to comply with college procedures. Repeatedly smoking or vaping) in non-designated areas on site | <ul style="list-style-type: none"> Repeated general misconduct and thoughtless behaviour Failure to complete course work or major assignments Refusing to show college ID/disclose their identity when reasonably requested for it or giving incorrect information Swearing or verbal abuse directed at students or staff Failure to comply with Health and Safety regulations including repeated smoking and spitting Inappropriate use of internet or other College system Failure to pay fees Direct copying of other students' work for assessment. Repeated failure to comply with College procedures. | <ul style="list-style-type: none"> Repeated misconduct with evidence at Stage 1-3 review meetings Plagiarism or copying large sections from publications and / or other student's work and submitting it for assessment Serious breaches of Health and Safety regulations including damaging equipment and driving recklessly on or around College campuses Physical abuse or threat of physical abuse Harassment or discriminatory behaviour Promoting or engaging in extremist behaviour/activity Bullying and victimisation Carrying offensive weapons Criminal activity including theft, drugs, alcohol, violence or fraud Serious misuse of internet or other college systems The unauthorised taking or publishing of audiovisual images of students or staff and the posting of such images using internet technologies without their permission Failure to pay fees (where financial planning strategies are not being met) |
| Person responsible for issuing | Any member of staff | Any member of delivery staff to issue a Stage 1 disciplinary via comments feature in ProMonitor | Any member of delivery staff to issue a Stage 2 disciplinary via comments feature in ProMonitor | Any member of delivery staff to recommend a Stage 3 disciplinary which will be issued by the Faculty Director via comments feature in ProMonitor and telephone contact Faculty Director or Head of Work Based Learning. |

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| Person(s) conducting/ attending the meeting | Not applicable | <ul style="list-style-type: none"> - Academic Tutor/PDT/Apprenticeship Assessor/Subject tutor - Student (with supporting person) - Member of the Student Support team where appropriate | <ul style="list-style-type: none"> - Curriculum Team Manager/Apprenticeship Manager - Academic Tutor/PDT/Subject tutor (where possible/appropriate) - Student (with supporting person) - Parent/carer/employer where appropriate - Member of the Student Support Team where appropriate | <ul style="list-style-type: none"> - Director of Faculty /Head of Work Based Learning - Appropriate Curriculum Team Manager and/or Academic Tutor/PDT (where possible/appropriate) - Student (with supporting person) - Parent/carer/employer where appropriate - Member of the Student Support team where appropriate |
| Action | <ul style="list-style-type: none"> • Record on ProMonitor using comments feature as cause for concern and set CSMART targets as appropriate (FAO: Academic Tutor/PDT/Apprenticeship Assessor) • Set review date (if required) • Parental/carer/employer contact (if required) • FAO Student Support Team if applicable | <ul style="list-style-type: none"> • Record Stage 1 meeting on ProMonitor (FAO: all relevant staff including Curriculum Team Manager) • Set CSMART Targets as appropriate • Set review date • Parental/carer/employer contact (if appropriate) • FAO Student Support Team if applicable | <ul style="list-style-type: none"> • Record Stage 2 meeting on ProMonitor (FAO: All relevant staff, including Director of Faculty /Head of Work Based Learning) • Set CSMART Targets as appropriate • Set review date • Send written warning • Parental/carer/employer contact (if appropriate) • FAO Student Support Team if applicable | <ul style="list-style-type: none"> • Temporary Exclusion (if required) • PREVENT Referral (if required) • Record Stage 3 meeting on ProMonitor (FAO: All relevant staff) • Set review date • Send written warning • Recommendation for permanent exclusion (if required) • Parental/carer/employer contact (if appropriate) • FAO Student Support team if applicable |
| Next stage | Referral to Stage 1 for persistent, repeated cause for concern | Referral to Stage 2 for persistent, repeated misconduct | Referral to Stage 3 for persistent, repeated serious misconduct | Referral to Stage 4 for persistent, repeated gross misconduct |
| | REVIEW (1-4 WEEKS) | REVIEW (1-4 WEEKS) | REVIEW (1-4 WEEKS) | REVIEW (1-4 WEEKS) |

Stage 4 – If at Stage 3 it is recommended a student be permanently excluded then this will be referred to the Exclusion Panel Chaired by a Vice Principal. A student may appeal the outcome of Stage 4 to the Deputy Principal Curriculum, Performance and Student Experience.

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