

Document No:	CR008
Issue No.	4
Issue Date:	2024-09-01
Renewal Date:	2026-09-01
Originator:	Head of Personal Development
Responsibility:	Vice Principal Study Programmes and Apprenticeships



STUDENT/APPRENTICE BEHAVIOUR AND CONDUCT POLICY AND PROCEDURES

CONTENTS

1. INTRODUCTION AND PURPOSE	2
2. SCOPE AND RESPONSIBILITIES	3
3. PRINCIPLES	4
4. REPORTING MISCONDUCT	4
5. INFORMAL RESOLUTION	5
6. SUPPORT FOR STUDENTS/APPRENTICES	5
7. COOLING OFF PERIOD AND SUSPENSION	6
8. FORMAL PROCESS: INVESTIGATION	7
9. FORMAL PROCESS: STAGE 1 DISCIPLINARY MEETING	8
10. FORMAL PROCESS: STAGE 2 DISCIPLINARY PANEL MEETING	9
11. SANCTIONS	10
12. FORMAL PROCESS: APPEAL	11
13. INDEPENDENT EXTERNAL REVIEW	12
14. RECORD KEEPING AND NOTIFICATION	12
15. QUALITY ASSURANCE, REVIEW AND EVALUATION	12
16. COMMUNICATION AND REVIEW	133

APPENDIX 1: BREACHES OF DISCIPLINE

APPENDIX 2 STUDENT/APPRENTICE PLEDGE

APPENDIX 3: STUDENT/APPRENTICE SHORT VERSION OF THE PROCESS

1. INTRODUCTION AND PURPOSE

- 1.1. The College is committed to providing a safe, calm and orderly environment that promotes a positive and inclusive culture. All student/apprentices are expected to behave in a responsible and respectful way akin to a professional working environment. Any conduct which unreasonably interferes with the safe and orderly operation of the College community will be investigated and addressed in accordance with this policy.
- 1.2. The Student/Apprentice Behaviour and Conduct Policy and Procedures ('the policy') is based on the principles of social justice. It seeks to ensure and protect the right of all members of the College community to study and work in an environment of mutual respect and tolerance and is designed to be supportive. The College endorses the AoC Charter for Student/Apprentice Engagement as an integral part of the process of developing a positive behaviour culture which compliments the College Values of Respect, Inclusion, Sustainability, Equality and Excellence.
- 1.3. The College has high expectations and high aspirations for all students/apprentices. It recognises that good behaviours and attitudes, and self-discipline, support effective learning and are critical to a student/apprentice's progress and progression.
- 1.4. It is vital that during the induction period the College clearly defines and communicates its expectations of student/apprentices, and that these are revisited regularly. It is important that these expectations are easy to understand, concise, positive and aspirational.
- 1.5. These expectations will be widely circulated to the student/apprentice body so that no one is any doubt about what is expected of them. A copy/version of this policy and the Student/Apprentice Pledge must be shared at the start of a student/apprentice's programme (Appendix 2 and 3).
- 1.6. The College recognises that as an education provider there is a duty to support students/apprentices who demonstrate negative behaviours. Students/apprentices must also be aware of the consequences that will be applied if they choose, after support, to continue to misbehave.
- 1.7. Special consideration and reasonable adjustments will be made where a student/apprentice's understanding of this policy may be affected by their learning difficulty, disability or mental health. Each case will be dealt with on an individual basis.
- 1.8. This policy should be read in conjunction with the following College policies; the list is not exhaustive:
 - 1.8.1.1. Safeguarding and Prevent Policy
 - 1.8.1.2. Fitness to Study Policy and Procedures
 - 1.8.1.3. Attendance and Punctuality Policy and Procedures
 - 1.8.1.4. Freedom of Speech Policy
 - 1.8.1.5. Malpractice Policy
 - 1.8.1.6. Acceptable Use of IT Policy
 - 1.8.1.7. No Smoking/Vaping Policy
 - 1.8.1.8. Substance Misuse Policy
 - 1.8.1.9. Searching, Screening and Confiscation Policy
 - 1.8.1.10. Complaints Policy

2. SCOPE AND RESPONSIBILITIES

- 2.1. This policy applies to all student/apprentices who are currently enrolled at the College including those who are taking a break in learning if they are still enrolled.
- 2.2. Student/apprentices studying on higher education programmes are also subject to additional policies, processes and procedures as detailed in the [HE Student Attendance and Punctuality Policy](#).
- 2.3. The College reserves the right to carry out and/or complete the formal disciplinary process if a student/apprentice withdraws from the College whilst the process is ongoing. Any sanction imposed may be referred to in a reference given by the College on the student/apprentice's behalf.
- 2.4. The scope of this policy is not restricted to College premises and includes any behaviours that affect the local and wider community, and/or bring the College into disrepute.
- 2.5. Overall responsibility for the implementation of this policy lies with the Vice Principal Study Programmes and Apprenticeships and the Head of Personal Development, who have delegated day-to-day responsibility for overseeing its implementation to the staff identified in this policy. All relevant members of staff have been made aware of this policy and have received appropriate training.
- 2.6. References in this policy to the Programme Area Manager/ACM or Director of Curriculum/Apprenticeships include any equivalent role or nominee.
- 2.7. This policy is not to be used to address issues concerning mental health and wellbeing, which should be referred to appropriate College support mechanisms, and if appropriate the Fitness to Study processes. It should not be used to address issues around academic performance (such as plagiarism and/or other academic misconduct issues), which should be addressed using the appropriate College process.
- 2.8. There may be occasions where a student/apprentice's behaviour and conduct immediately relate to or later identify a safeguarding issue. In these circumstances, safeguarding must be given a priority. All cases need to be treated on an individual basis and the normal safeguarding procedures must apply. At no time should the impending outcome of a disciplinary process delay the reporting of a safeguarding issue. In these situations, staff should seek advice from the Designated Safeguarding Lead (DSL).
- 2.9. During any teaching and learning sessions, the teacher/assessor/trainer has immediate responsibility for student/apprentice behaviour and conduct.
- 2.10. All College staff have responsibility for maintaining student/apprentice behaviour and conduct outside the normal teaching and learning areas and should advise students/apprentices that behaving in a manner that is contrary to this policy may lead to disciplinary action.
- 2.11. For all student/apprentices, the Behaviour and Conduct Policy should be led by the Curriculum area, in collaboration with any cross-College teams.

- 2.12. For apprentices in the workplace, and students on work experience/placement, whilst it is recognised that employers/providers may have their own codes of conduct and disciplinary procedures, student/apprentices will be expected to comply with this policy whilst on workplace premises. This should be made clear to both student/apprentices and employers. Employers should be asked to make the College aware of any student/apprentice behaviour and conduct issues and what actions were taken. It may also be more appropriate for apprentices to be set actions to change behaviour and attitudes as part of their review process.

3. PRINCIPLES

- 3.1. Student/apprentices may enter the Behaviour and Conduct process at any stage, dependent on the nature of the misconduct. Breaches of discipline may be 'minor', 'major' or 'gross'. Examples are set out in Appendix 1.
- 3.2. Any investigation and necessary action under this policy will be undertaken as speedily as possible. Student/apprentices are expected to engage with the process by meeting all of the College's stipulated deadlines for submission of materials and attending the meetings they are invited to at each stage of this policy.
- 3.3. Parents and carers of student/apprentices under the age of 18 will be informed of any formal actions (including suspension/cooling off period) the College takes under this policy. The College will also notify an apprentice's employer.
- 3.4. Working days are Monday to Friday, excluding public holidays and days on which the College is closed. There may be cases where, for good reason(s), including in holiday periods, the College will need to extend the timeframe for dealing with a case. When this is the case, the College will contact the student/apprentice to explain the delay and set a new deadline for the next stage.
- 3.5. Where more than one student/apprentice is involved in a case of suspected misconduct, the College may choose whether to take joint or separate action against them under this policy. The College will take steps to ensure that it adopts a consistent approach in relation to all of those involved.
- 3.6. Allegations of misconduct made in good faith will be taken seriously and dealt with in accordance with this policy. Such allegations of misconduct will be dealt with as allegations of breaches of the College's own internal regulations and policies by the civil standard of proof, which is the balance of probabilities. The possible sanctions and outcomes are those described in this policy.
- 3.7. The College will take steps to ensure that, as far as possible, any staff member involved in formally investigating a potential allegation of misconduct has no prior involvement with the case.
- 3.8. Meetings held under this policy may be conducted by video call at the discretion of the relevant manager or the Chair of the Disciplinary Panel.

4. REPORTING MISCONDUCT

- 4.1. All College staff are responsible for recording and reporting any misconduct, via 'ProMonitor Comments'. In addition, 'major' and 'gross' misconduct should initially be reported directly to the Programme Area Manager/ACM.

- 4.2. Any person who becomes aware of major or gross misconduct by a student/apprentice should also complete an 'Incident Report' form (available on the intranet) which documents the facts of the alleged incident/situation. Relevant documentary evidence must be attached to the report where appropriate and uploaded onto ProMonitor once a meeting record has been created.
- 4.3. Where a student/apprentice is suspected of a criminal offence, the police may be contacted. Any subsequent formal police action will not affect this policy from being implemented, but the procedure may be extended or suspended depending on the type of police investigation being carried out. This will be decided by the Director responsible for that area of provision.
- 4.4. Anonymous reports of misconduct will not usually be accepted by the College unless they are covered by the Whistleblowing (Public Interest Disclosure) Policy.

5. INFORMAL RESOLUTION

- 5.1. All efforts should be directed towards helping and supporting student/apprentices and attempts should be made to resolve minor breaches informally through the tutorial/review process, using target setting, lesson/session behaviour management and close monitoring by teaching/assessing staff.
- 5.2. It is extremely important that any effort to help and support student/apprentices informally is recorded. Resolution may take the form of an initial conversation (which will be recorded via ProMonitor Comments), or a more specific meeting may be called, involving others such as parents/carers, which will be known as a 'Behaviour and Conduct Meeting'). If the case is escalated to the formal stages it is expected that written/digital evidence of any previously used informal strategies is presented.
- 5.3. Where issues around behaviour and conduct cannot be managed through everyday classroom management, or when behaviour or conduct remains unacceptable despite informal tutorial/support intervention, the formal disciplinary process should be applied in a fair and considered way.
- 5.4. Where a student/apprentice is care experienced, a young adult carer and/or have an EHCP, the appropriate Student Support team should be made aware of all behaviour related concerns. Due diligence relating to safeguarding should be undertaken, referring to the College Safeguarding Lead to establish if there are any concerns that need to be considered, before actions relating to behaviour management are taken.

6. SUPPORT FOR STUDENT/APPRENTICES

- 6.1. Student/apprentices are encouraged to seek advice and support regarding this policy from Student Services or other support networks such as the Student Union.
- 6.2. The College will make reasonable adjustments to the procedures set out in this policy where it is reasonable to do so to prevent a student/apprentice from suffering substantial disadvantage as a result of any disability/difficulty.
- 6.3. A student/apprentice who is invited to attend an investigatory interview or a formal meeting under this policy has the right to be accompanied by a member of College staff, a friend or a relative. Student/apprentices are not normally permitted to be represented by a legally qualified solicitor or barrister, but the College may allow legal representation

at Stage 2 Disciplinary Panel meetings in exceptional circumstances. The student/apprentice must provide the name and contact details of their chosen companion to the College two working days before the meeting.

- 6.4. The companion's role will be to support the student/apprentice, and they may be consulted for advice and support during the meeting. The companion may speak on the student/apprentice's behalf, but may not answer questions put to the student/apprentice (unless this is agreed in advance by the relevant manager/Chair of the Disciplinary Panel as a reasonable adjustment for a disability/difficulty).
- 6.5. Student/apprentices will be informed about any formal disciplinary process in the following ways:
 - 6.5.1. In writing, by email using their College email address, unless IT access rights have been suspended, in which case the personal email address held on record will be used; **and**
 - 6.5.2. In writing, by hard copy letter posted to the address provided at enrolment. It is the responsibility of the student/apprentice to ensure that the address the College has for them is up to date.

7. COOLING OFF PERIOD AND SUSPENSION

- 7.1. At the discretion of the Programme Area Manager/ACM or manager in attendance, at the point of an incident occurring, a 24-hour 'cooling off period' can be used, if deemed appropriate. This should be recorded using the allocated Comment Type within ProMonitor and distributed to all attached staff members. This is not a suspension, and it should be clearly communicated that the student/apprentice is to return on the next day of learning.
- 7.2. If, after reviewing a report of alleged misconduct and having assessed the potential risks, the Programme Area Manager/ACM considers that a student/apprentice's continued access to the College creates a significant risk in one or more of the following situations, namely that:
 - 7.2.1. there may be a recurrence of unacceptable conduct by the student/apprentice;
 - 7.2.2. staff, visitors, service users or other student/apprentices may be harmed; and/or
 - 7.2.3. due process under this policy may be inhibited or impeded,they will refer the matter to the Director of Curriculum/Apprenticeships or to a member of the Executive Leadership Team (ELT), in their absence, who may decide that the student/apprentice should be suspended temporarily from access to the College premises until the process set out in this policy is concluded, or the risks are deemed to have reduced. Suspension may also include conditions e.g. not to contact a named person.
- 7.3. The decision to suspend a student/apprentice will only be made where the risk level is high and where there are no alternative measures that could be put in place instead to mitigate the risk. It is, therefore, a neutral act and not a sanction. The College will take steps to ensure that, as far as practicable, the student/apprentice is able to continue with their learning through remote access.

- 7.4. Whilst suspended, a student/apprentice may not enter College premises, or other premises used for the delivery of College education, without permission from the relevant Director of Curriculum/Apprenticeships.
- 7.5. Use of the College virtual learning environment (Moodle or Smart Assessor) and attendance at work/work placement is still permitted with the permission of the relevant Programme Area Manager/ACM, liaising with the appropriate employer/placement provider.
- 7.6. Any suspension will be limited to a specified period of time and reviewed regularly by the Programme Area Manager/ACM but may be extended where necessary to do so.
- 7.7. The Director of Curriculum/Apprenticeships will write to the student/apprentice setting out the decision to suspend/impose conditions and clear reasons for the decision, which will relate directly to the allegations made, outlining the basic alleged facts. A 'Suspension Form' (available on the intranet) should also be completed and sent to the relevant internal departments to ensure staff are aware of the conditions of the suspension.
- 7.8. The student/apprentice can appeal against a decision to suspend them to a Vice Principal within five working days of the commencement of the suspension, identifying clear reasons for the appeal. The Vice Principal will notify the student/apprentice of the decision within five working days of receipt of their appeal.
- 7.9. The student/apprentice can also request that the Vice Principal reviews the suspension if there has been a material change in the circumstances of the case.

8. FORMAL PROCESS: INVESTIGATION

- 8.1. On receipt of an Incident Report Form detailing misconduct, the Programme Area Manager/ACM will make a record of the matter and will forward a report to an allocated Investigating Officer as soon as possible. The Investigating Officer should not be involved in the decision-making later in the procedure.
- 8.2. The Investigating Officer will carry out an investigation, which will normally be concluded within a maximum of 5 working days of the report being received.
- 8.3. As part of the investigation, the Investigating Officer will:
 - 8.3.1. interview/request a written statement from the student/apprentice;
 - 8.3.2. identify and interview any other relevant witnesses or obtain written witness statements from them; and
 - 8.3.3. seek and collate documentary evidence where appropriate (e.g. emails, logs from relevant College systems or other relevant evidence).
- 8.4. The Investigating Officer will compile a short overview report which will include the allegations and a summary of the evidence gathered during the investigation, including copies of relevant documents and witness statements including evidence and witness statements provided by the student/apprentice in support of their case and report back to the Programme Area Manager/ACM.
- 8.5. The Programme Area Manager/ACM will:
 - 8.5.1. Decide that no further action should be taken; or

8.5.2. Decide that the matter should be dealt with informally (minor breach); or

8.5.3. Decide that there is a case to answer and:

8.5.3.1.1. the case should be referred to a Stage 1 Disciplinary meeting (in the case of major breach) or

8.5.3.1.2. the case should be referred to a Stage 2 Disciplinary meeting (in the case of gross breach).

8.6. The Programme Area Manager/ACM will notify the student/apprentice of their decision within 2 working days of the conclusion of the investigation.

9. FORMAL PROCESS: STAGE 1 DISCIPLINARY MEETING

9.1. The Programme Area Manager/ACM will invite the student/apprentice to attend a formal disciplinary meeting, providing the date, time and place of the meeting, and will be the Chair of the meeting. The meeting will be held as soon as reasonably possible but the student/apprentice will be given at least 5 working days' notice to prepare their case based on the information provided by the College

9.2. The LAC Designate should be informed of any care experienced/young adult carer student, who will be subject to a formal disciplinary meeting, and included in the distribution list of any letters or emails. The Additional Learning Support Manager should be informed of any correspondence if a student/apprentice has an active EHCP. Due diligence relating to safeguarding should be undertaken, referring to the College Safeguarding Lead to establish if there are any concerns that need to be considered, before actions relating to behaviour management are taken

9.3. The notice letter will set out the allegations against the student/apprentice, the basis of those allegations and the likely range of sanctions if it is decided after the formal disciplinary meeting that the allegations are proven

9.4. The Programme Area Manager/ACM will also provide the student/apprentice with copies of all the relevant documents related to the case. In limited circumstances (e.g. a risk of harm to the witness) a witness's identity may be kept confidential unless to do so would prejudice the fairness of the proceedings

9.5. The purpose of the formal disciplinary meeting is to discuss the evidence gathered and to provide the student/apprentice with an opportunity to make representations. The Programme Area Manager/ACM will then decide based on the evidence and the student/apprentice's representations whether the allegation is proven. If the allegation is proven, depending on the nature of the disciplinary offence, the Programme Area Manager/ACM may ask the student/apprentice to submit any evidence in mitigation in order to decide on the appropriate sanction.

9.6. The Programme Area Manager/ACM may impose any relevant and proportionate sanctions, except that they do not have the power to exclude the student/apprentice from the College.

9.7. If the student/apprentice or their companion cannot attend the disciplinary meeting, the student/apprentice should inform the Programme Area Manager/ACM immediately and the Programme Area Manager/ACM will arrange an alternative time/day. The student/apprentice must make every effort to attend the meeting. If the student/apprentice fails to attend without good reason or is unable to do so on more than two occasions, the Programme Area Manager/ACM may take a decision based on

the available evidence provided they are satisfied that the student/apprentice was given due notice of the date and time of the meeting. The Programme Area Manager/ACM shall decide in their discretion what constitutes 'good reason'.

- 9.8. The Programme Area Manager/ACM will notify the student/apprentice in writing of the outcome of the disciplinary meeting, the reasons for the decision and (where relevant) any sanction imposed within five working days of the meeting. The student/apprentice will also be informed of their right of appeal.

10. FORMAL PROCESS: STAGE 2 DISCIPLINARY PANEL MEETING

- 10.1. An identified administrator will invite the student/apprentice to attend a Disciplinary Panel meeting, providing the date, time and place of the meeting, which will be chaired by the Director of Curriculum/Apprenticeships. The meeting will be held as soon as reasonably possible but the student/apprentice will be given at least 5 working days' notice to prepare their case based on the information provided by the College.
- 10.2. The notice letter will set out the allegations against the student/apprentice, the basis of those allegations and the likely range of penalties if it is decided after the Disciplinary Panel meeting that the allegations are proven.
- 10.3. The notice letter will include:
- 10.3.1. a summary of relevant evidence gathered during the investigation;
 - 10.3.2. a copy of any relevant documents which will be relied on at the disciplinary meeting; and
 - 10.3.3. a copy of any relevant witness statements. In limited circumstances (e.g. a risk of harm to the witness) a witness's identity may be kept confidential unless to do so would prejudice the fairness of the proceedings.
- 10.4. The LAC Designate should be informed of any care experienced/young adult carer student, who will be subject to a disciplinary, and included in the distribution list of any letters or emails. The Additional Learning Support Manager should be informed of any correspondence if a student has an active EHCP. Due diligence relating to safeguarding should be undertaken also, referring to the College Safeguarding Lead to establish if there are any concerns that need to be considered, before actions relating to behaviour management are taken.
- 10.5. The student/apprentice will be invited to respond to the allegations in writing. All written documents the student/apprentice wishes to rely on must be received by the administrator to the Disciplinary Panel at least two working days prior to the meeting.
- 10.6. The Disciplinary Panel shall consist of:
- 10.6.1. a Director of Curriculum (Chair);
 - 10.6.2. a member of the College Leadership Team (CLT); and
 - 10.6.3. another member of staff not previously involved in the process, or a Student Union representative
- 10.7. The administrator to the Disciplinary Panel will also attend the meeting in order to take

a note of the meeting.

- 10.8. If the student/apprentice or their companion cannot attend the formal disciplinary meeting, the student/apprentice should inform the Chair of the Disciplinary Panel immediately and an alternative time will be arranged. The student/apprentice must make every effort to attend the meeting. If the student/apprentice fails to attend without good reason or is unable to do so on more than two occasions, the College reserves the right to take a decision based on the available evidence, provided it is satisfied that the student/apprentice was given due notice of the date and time of the meeting. The Chair of the Disciplinary Panel shall decide in their discretion what constitutes 'good reason'.
- 10.9. At the formal disciplinary meeting the Investigating Officer will present the case against the student/apprentice, including any evidence which has previously been disclosed to them. The student/apprentice will be able to respond and to present any evidence of their own.
- 10.10. Both the student/apprentice and the Investigating Officer may ask relevant witnesses to appear at the formal disciplinary meeting. The student/apprentice must give the Disciplinary Panel at least two working days' advance notice to arrange their attendance. The student/apprentice will be given the opportunity to respond to any information given by a witness and to ask questions of witnesses.
- 10.11. The formal disciplinary meeting may be adjourned at the discretion of the Chair of the Disciplinary Panel in the interests of fairness e.g. new evidence which has come to light which could not have reasonably been disclosed in accordance with the prescribed timescales under this policy.
- 10.12. Following the formal disciplinary meeting the members of the Disciplinary Panel will consider whether the allegation made against the student/apprentice has been proven on the balance of probabilities.
- 10.13. The administrator to the Disciplinary Panel will notify the student/apprentice in writing of the outcome of the formal disciplinary meeting, the reasons for the decision and (where relevant) any sanction imposed within five working days of the meeting. The student/apprentice will also be informed of their right of appeal.
- 10.14. The administrator will inform the College's Risk Assessment and Warden teams of the outcome of a disciplinary if partial or temporary exclusion is decided, and will create a 'pop up message' on the EBS system to alert staff who process any future applications.

11. SANCTIONS

- 11.1. The Programme Area Manager/ACM or Disciplinary Panel (as appropriate) shall have discretion in choosing the appropriate sanction(s) for any disciplinary offence under this policy.
- 11.2. The Programme Area Manager/ACM or Disciplinary Panel may impose one or more of the following sanctions:
 - 11.2.1. Verbal warning
 - 11.2.2. Personal development targets
 - 11.2.3. Action plan with parent/carer involvement
 - 11.2.4. Written warning

- 11.2.5. Final written warning
 - 11.2.6. Removal from home study
 - 11.2.7. Restitution or payment of costs (e.g. where damage to property)
 - 11.2.8. Requirement to carry out community service within the College
 - 11.2.9. Requirement to attend relevant training
 - 11.2.10. Partial exclusion e.g. not being permitted to access certain College facilities – this cannot be imposed by a Programme Area Manager/ACM
 - 11.2.11. Temporary exclusion (for the rest of the academic year) – this cannot be imposed by a Programme Area Manager/ACM.
- 11.3. In exercising discretion in deciding on a sanction, the Programme Area Manager/ACM or Disciplinary Panel shall have regard to:
- 11.3.1. whether action has already been taken by another body (such as a placement/internship and/or professional or work experience provider);
 - 11.3.2. whether there is evidence of remorse on the student/apprentice's part (for instance evidence that they have apologised, made restitution or improved their behaviour since the incident);
 - 11.3.3. any professional body standards or regulations that apply; and
 - 11.3.4. any mitigating and/or aggravating factors. Multiple or repeated incidents of misconduct may be more serious than a single act of misconduct. Previous disciplinary offences may be considered when determining what sanction should be imposed.
- 11.4. If a sanction of temporary exclusion is imposed, the student/apprentice will be informed that they must reapply if they wish to return to the College the following academic year. A behaviour risk assessment and associated risk management plan will be undertaken to determine whether to readmit the student/apprentice to the College

12. FORMAL PROCESS: APPEAL

- 12.1. If the student/apprentice is dissatisfied with the outcome of the formal disciplinary meeting, they have five working days to appeal against that decision by submitting a request to the Director of Curriculum/Apprenticeships (Stage 1) or Vice Principal (Stage 2 Panel).
- 12.2. The student/apprentice should set out their concerns clearly and succinctly and provide evidence in support (where possible), and should explain how the request for an appeal falls within one or more of the following grounds:
- 12.2.1. that the disciplinary procedures were not followed properly or that there was bias or a reasonable perception of bias during the process;
 - 12.2.2. that the student/apprentice has new material evidence that they were unable, for valid reasons, to provide earlier in the process;
 - 12.2.3. that the sanction imposed was disproportionate, or not permitted under the procedures.
- 12.3. The Director of Curriculum/Apprenticeships or Vice Principal (as appropriate) will review all information collated for the original decision, together with any new evidence

presented, on the papers (but may contact the student/apprentice and/or anyone else involved in the matter if they consider it necessary).

- 12.4. The outcome of the appeal will be that the Programme Area Manager/ACM, Director of Curriculum/Apprenticeships or Vice Principal either upholds the disciplinary outcome or makes a different finding which overturns the outcome. The Programme Area Manager/ACM, Director of Curriculum/Apprenticeships or Vice Principal may impose a different sanction or may remit the case to the same or a different decision-maker to consider again.
- 12.5. The decision taken at the appeal stage is final. The final decision on the appeal will be communicated to the student/apprentice in writing, with reasons, within 5 working days from receipt of the appeal.

13. INDEPENDENT EXTERNAL REVIEW

- 13.1. If the student/apprentice is not satisfied with the outcome of this process they may make a complaint under the College's Complaints Policy.

14. RECORD KEEPING AND NOTIFICATION

- 14.1. Records of each stage of the formal disciplinary process (and all evidence collated) must be logged on ProMonitor under the 'Disciplinary' meeting type. All relevant parties must be informed in writing of the outcome at each stage.
- 14.2. A formal disciplinary sanction imposed in accordance with this policy shall be a permanent part of the student/apprentice record.
- 14.3. It shall not be considered confidential that a student/apprentice has been subject to proceedings under this policy. Relevant members of College staff may be also notified.
- 14.4. The College reserves the right to disclose any sanction imposed on a student/apprentice (including exclusion) in any references provided to third parties, or to comply with any regulatory reporting requirements.

15. QUALITY ASSURANCE, REVIEW AND EVALUATION

- 15.1. The Vice Principal for Study Programmes and Apprenticeships, together with the Head of Personal Development, is responsible for reviewing this policy every two years and making appropriate changes. Refresher training for staff will be provided as appropriate, including an exemplar list of breaches and the sanctions imposed to help standardise judgments and decision-making.
- 15.2. The College will be able to report on an overview of the recorded disciplinary cases which have taken place in each area, together with their outcomes and sanctions applied, via the College's reporting portals. An overview of any appeals and their outcome will also be available.
- 15.3. Reporting will be undertaken on an annual basis to the ELT and governors, indicating the trends and what actions have been taken to support student/apprentices to stay in learning as much as possible.

16. COMMUNICATION AND REVIEW

- 16.1. This Policy will be published on the College website and intranet. It will be reviewed at least every two years by the ELT.

APPENDIX 1: BREACHES OF DISCIPLINE

The following are **examples** of breaches of discipline which may lead to formal disciplinary action under this policy. These examples are for guidance only and do not represent an exhaustive list.

Informal - Minor breach

- a) Repetitive lateness
- b) Repetitive absence
- c) Disruptive or unruly behaviour
- d) Smoking or vaping on College premises
- e) Unauthorised use of mobile phone
- f) Breach of any College regulation or policy

Stage 1 - Major breach

- a) Repeating a minor breach
- b) Failure to comply with/carry out agreed actions/targets from Informal stage
- c) Offensive language or behaviour
- d) Disruptive behaviour on College premises, such as setting off fire alarms or obstructing access to buildings or rooms
- e) Any conduct which amounts to harassment i.e. behaviour which causes alarm or distress, or which is unwelcome, uninvited and causes a detrimental effect
- f) Engaging in or assisting, enticing or encouraging others to engage in deliberate or intentional conduct which is dangerous, violent, aggressive, disruptive, abusive, intimidating, indecent, dishonest or corrupt (including via social media)
- g) Misuse or unauthorised use of College intellectual property or confidential information
- h) Continued refusal to show identification or display ID badge
- i) Acting in an unsafe manner
- j) Persistent disrupting the work or recreation of others.

Stage 2 - Gross breach

- a) Repeating a major breach
- b) Failure to comply with/carry out agreed actions/targets from Stage 1
- c) Theft
- d) Violence or threat of violence
- e) Influence of drink or drugs
- f) Compromising the safety of and/or wellbeing of staff, other students, or College visitors
- g) Sexual misconduct
- h) Selling drugs
- i) Wilful damage to College or other people's property
- j) Gambling
- k) Sending/accessing/downloading pornographic/offensive material
- l) Carrying/use of a weapon
- m) Inviting or assisting people who are not College students to enter the College without reporting to reception
- n) Acts, omissions, statements intended to deceive the College including deliberate falsification of records.
- o) Making an unfounded allegation against a member of staff
- p) Criminal activity
- q) Activity which could bring the College into disrepute.

APPENDIX 2: STUDENT/APPRENTICE PLEDGE



STUDENT/APPRENTICE PLEDGE

The College embeds its core values of Respect, Inclusion, Sustainability, Equality and Excellence into the Student/Apprentice Pledge. It also ensures that each of our commitments and expectations link to our Personal Development (PD) Framework. This means that.....

Leicester College will provide:

Ref	Commitment	PD Theme	College Value/s
LC1	Inspiring ways to study your chosen subject, using a range of methods and technologies, including opportunities to enhance personal development skills	Study Hard and Smart	Inclusion, Equality and Excellence
LC2	Consistently high aspirations, supported by high expectations of everyone	Study Hard and Smart	Inclusion and Excellence
LC3	Opportunities to become 'work ready' through interactions with different industry professionals (as relevant)	Plan Your Next Steps	Inclusion and Excellence
LC4	A high quality careers education service to ensure you make the right choices about your next steps and/or career pathway and intended destination	Plan Your Next Steps	Inclusion, Equality and Excellence
LC5	A safe, supportive and friendly learning environment with high quality facilities and equipment	Be Safe and Well	Respect, Sustainability, Inclusion and Equality
LC6	Support and advice on being both physically and mentally healthy	Be Safe and Well	Respect, Inclusion and Equality
LC7	Promotion of equity and inclusion, and the celebration of diversity, providing support for both learning and life	Be Supported and Involved	Inclusion and Equality
LC8	Opportunities for everyone to share their views, communicating the improvements made as a result	Be Supported and Involved	Inclusion, Equality and Excellence

As a Student/Apprentice you will:

Ref	Expectation	PD Theme	College Value/s
SA1	Engage with the range of methods available to study and take responsibility, engage, attend and being on time	Study Hard and Smart	Inclusion, Equality and Excellence
SA2	Have high expectations and aspirations for yourself, including setting goals/targets to support you to succeed	Study Hard and Smart	Inclusion and Excellence
SA3	Engage in the different opportunities on offer at the college, which meet your needs and develop you further	Plan Your Next Steps	Inclusion and Excellence
SA4	Demonstrate 'work readiness', using what you have learnt at college to prepare you for the world of work	Plan Your Next Steps	Inclusion and Excellence
SA5	Keep yourself and others safe, letting us know if you or anyone you know is at risk of harm	Be Safe and Well	Respect, Inclusion and Equality
SA6	Let the college know when you need support, including keeping yourself physically and mentally healthy	Be Safe and Well	Respect, Inclusion and Equality

SA7	Respect everyone and their differences, including their right to learn	Be Supported and Involved	Respect, Inclusion and Equality
SA8	Help the College to improve by sharing your considered views	Be Supported and Involved	Inclusion, Equality and Excellence

APPENDIX 3: STUDENT/APPRENTICE BEHAVIOUR AND CONDUCT PROCESS (STUDENT/APPRENTICE SHORT VERSION)

Stage	How will I know this is happening?	What will the process be?	Who is involved?
Informal Stage	A member of staff will ask you to meet with them	This can take the form of a conversation at the end of a lesson, a meeting with you to talk through behaviour, or a meeting with you and your Parent/Carer (if applicable)	You Any staff member Your Parent/Carer
↓			
Formal Investigation/ <i>Suspension</i>	If the Programme Area Manager (PAM) believes that your behaviour requires the College to take formal action they will commence a Formal Investigation	The PAM will appoint an Investigating Officer to gather any evidence relating to the potential breach. They will speak to witnesses (if any) and will record what happened/why from your perspective and put forward the reasons why there was a breach <i>In the case of a 'gross' breach of conduct, you may be suspended, this means you will be asked to leave the College premises immediately and will receive a letter detailing why this has occurred and how long it will last (a suspension is not a punishment it is a process to reduce risk to yourself and/or others)</i> In all cases you will be informed of the outcome of the Formal Investigation and whether the College will be inviting you to a formal disciplinary meeting, or will confirm there is no/insufficient evidence to continue the process	PAM Investigating Officer You
↓			
Formal Stage 1: Major Breach	You will receive a formal letter containing the evidence gathered from the Formal Investigation stage, this letter will invite you to a Stage 1 Disciplinary Meeting	A formal meeting with the Programme Area Manager (PAM). It gives you the opportunity to look at the evidence that the Investigating Officer has collated in more detail, discuss the situation from your perspective and put forward the reasons why there was a breach You will be written to after the meeting to confirm the decision and sanctions that have been taken e.g. a written warning, targets set with deadlines	PAM (chair) You Investigating Officer (to present findings) Anyone who supports you (this can be an internal member of staff, a parent/carer or a professional from an external agency)
↓			
Formal Stage 2: Gross Breach	You will receive a formal letter containing the evidence gathered from the Formal Investigation stage, this letter will invite you to a Stage 2 Disciplinary Panel Meeting	A formal meeting which is chaired by the Director of Curriculum/Apprenticeships (DoC/DoA). It gives you the opportunity to look at the evidence that the Investigating Officer has collated in more detail, discuss the situation from your perspective You will be written to after the meeting to confirm the decision and sanctions that have been taken (<i>this could include temporary exclusion – for the rest of the academic year, meaning you will need to reapply the next year</i>)	DoC/DoA (chair) You Anyone who supports you (this can be an internal member of staff, a parent/carer or a professional from an external agency) Investigating Officer (to present findings) Independent panel member (this person has nothing to do with the course you are enrolled onto)
↓			
Appeal	You can appeal against any of the formal stages in the process, this includes appealing a suspension if you feel this is not appropriate	To appeal against a suspension you must write to the Vice Principal (via the Contact Us section of the College's website) within 5 working days To appeal against the decision from a Stage 1 Disciplinary Meeting you will need to write to the DoC/DoA within 10 working days of being informed of the decision (<i>via the Contact Us</i>	You DoC/DoA

		<p><i>section of the College's website</i>), you will be informed in writing of their decision which will be final</p> <p>To appeal against the decision from a Stage 2 Disciplinary Panel Meeting you will need to write to the Vice Principal within 10 working days of being informed of the decision (<i>via the Contact Us section of the College's website</i>), you will be informed in writing of their decision which will be final</p>	Vice Principal
--	--	--	----------------