



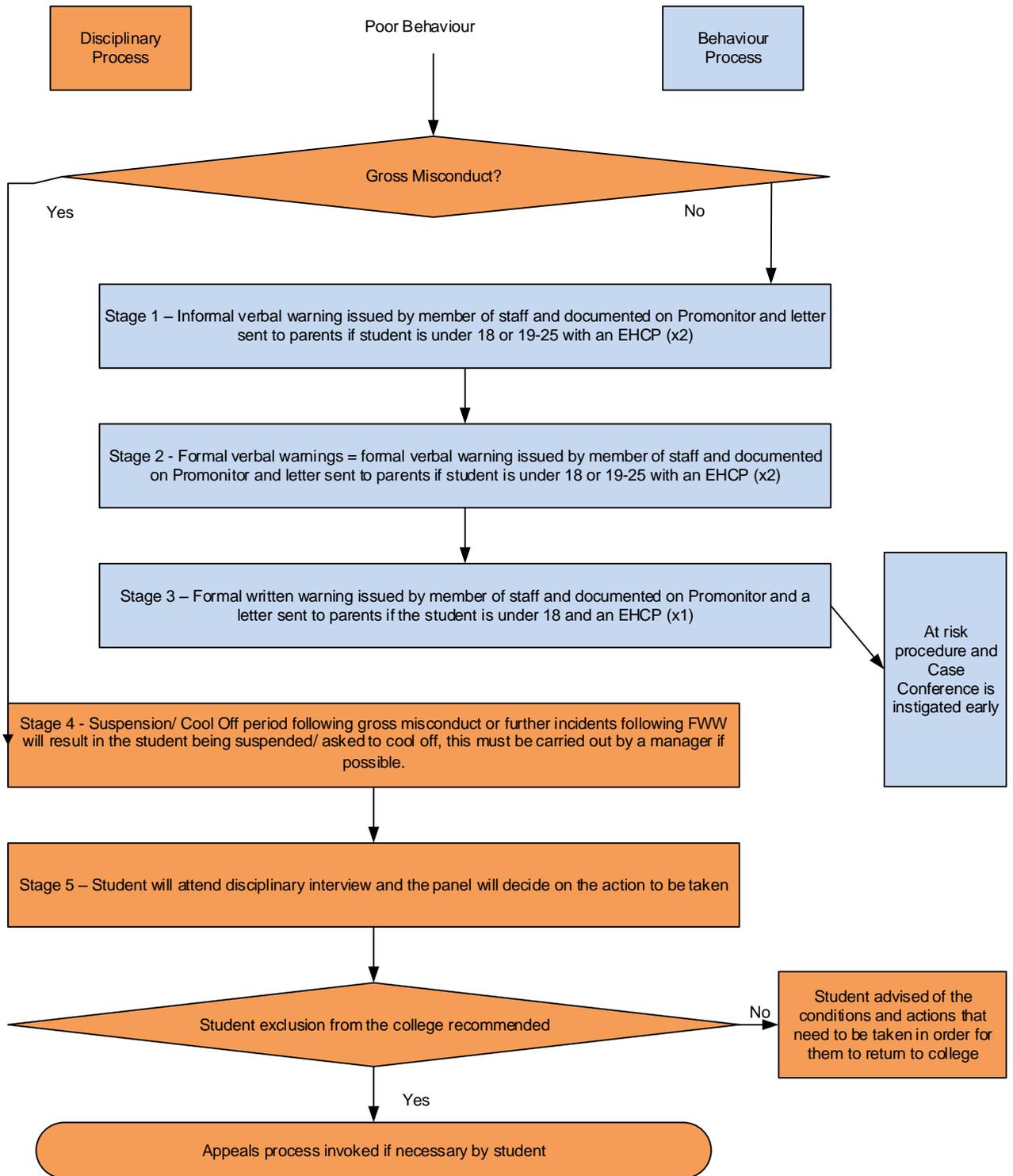
Shrewsbury College

Policy Title	Student Behaviour Policy (Disciplinary)
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Student Behaviour Procedure – At a glance



INTRODUCTION

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 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 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.

1. SCOPE AND PURPOSE

- a. This Policy applies to all students enrolled at Shrewsbury College (hereafter known as the College), 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.

2. OBLIGATIONS OF STUDENTS

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

The Equality and Diversity Policy
The Anti-Bullying and Harassment Policy
The IT Acceptable Usage Policy
The Quality Handbook
The e-safety policy
The Health and Safety Policy
The Criminal Convictions Policy
The Visits/ Trips Policy

All these policies are available on Moodle and on Sharepoint.

3. 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 above (including the Learner Agreement and any breach of health and safety or other College regulations).
- Failure to follow the reasonable instructions of a member of staff that put themselves or others at risk.
- Aggressive or confrontational behaviour towards a member of staff, student or person visiting or working within the College.
- 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 College 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 College.
- 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 College 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 College 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.

4. POOR BEHAVIOUR

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 activity, whether or not involving staff or other students.
- Smoking in non-designated areas.
- Behaviour which could bring the College into disrepute, e.g. misconduct on public transport or annoyance to College' neighbours.
- Non-return of College library books and other College property loaned to students for the duration of their enrolment.

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

5. 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 behavior 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 Student Services Support Manager **before** formal disciplinary processes are considered. In exceptional circumstances the Curriculum 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 Lead can assist in assessing the problem and can offer advice on suitable strategies. The Student Services Support Manager will agree with the relevant Curriculum 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 College 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.

6. 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

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

Stage two is for continued poor behaviour that have not been resolved within stage one, formal verbal warnings will continue to be dealt with by the Course 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.

Stage Three – Formal Written Warning x1

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 causes the behaviour procedure to be 'fast tracked'.

A formal written warning, together with a contract stating the behaviour required from the student will be issued in a meeting with the student (see letter template FWW 'Formal Written Warning').

The Course tutor who issues the written warning must liaise with the student's Curriculum 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 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 Services Support Manager so that the "At Risk" register can be updated.

7. 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 College immediately or asked to 'cool off' at home by a manager at the college if possible or any other member of staff.

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 College 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 behavior that is determined by factors out of the control of the student, e.g. a disability, medical or drug controlled behavior. In this case, it is important that the student is reviewed by the Student Services Support Manager **before** formal disciplinary processes are considered.

A student in receipt of Bursary payments who is suspended 'pending' disciplinary, whether victim or perpetrator, 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.

Stage Five – Disciplinary Hearing and Decision

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 College Academic Leadership Team may be called upon to chair disciplinary hearings. Panel members could be any member of the College staff elected by the College Academic Leadership Team, which must include a member of staff from Student Services to ensure that behavior and disciplinary events are treated fairly across the College. 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:

- 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
- the student is permanently expelled. (Nb. This information should be passed to the school administrator to be entered on the College's MIS system, 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.

If the decision is for expulsion then the Chairperson will liaise with the Principal or Assistant Principal 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 his nominee will arrange an appeal interview within twenty one days. 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.

7. 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 College may refer the matter to the Police and may still continue disciplinary proceedings under this procedure irrespective of any criminal process.

8. 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 College 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.

9. SCHOOL PUPILS 14-16 YEARS

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

10. HIGHER EDUCATION STUDENTS

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

NAME:

ADDRESS:

Dear Parent/ Carer

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

 SHREWSBURY COLLEGE OF ARTS & TECHNOLOGY	Stage One - Informal Verbal Warning (We allow 2 instances of informal warnings before moving onto the next formal 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 342342 or email me on (EMAIL ADDRESS).

Yours sincerely

COURSE TUTOR NAME

NAME:

ADDRESS:

Dear Parent/ Carer

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

 SHREWSBURY COLLEGE OF ARTS & TECHNOLOGY	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 342342 or email me on (EMAIL ADDRESS).

Yours sincerely

COURSE TUTOR NAME

Stage 3

Formal Written warning letter template about repeated misconduct from Course Tutor/copy to parents/ carers if student under 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 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 Course Tutor.

Yours sincerely

<<Course Tutor>>

Stage 4

Letter from Curriculum Leader template confirming suspension.

<< 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 College premises in the intervening period if they have been suspended / asked to 'cool off'.
- That a copy of the Student behaviour policy and disciplinary procedures 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/Radbrook>> 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>>