

Student Behaviour and Disciplinary Policy 2019-20

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POLICY OWNER (JOB TITLE AND INITIALS):	VP Curriculum & Quality (ST)		
IMPACT ASSESSED BY:	R Bellfield	IMPACT ASSESSMENT DATE:	2014-04

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Policy description:

The majority of Craven College's students are post-16 and so the College provides more mature learning environments than students may have experienced at secondary school. The curriculum and the expected standard of behaviour provide a bridge to the next stage in the students' lives whether further study, employment, or both. Therefore, the Student Disciplinary Policy has been developed to support understanding of acceptable behaviours, and an understanding of the consequences of unacceptable behaviour. Unacceptable behaviours are measured on 3 levels, the most serious being level 3, which may result in expulsion from the College.

Supporting documents:

- Student Agreement
- Staff Guidance
- Templates and documentation

Links to other policies:

- Student Academic Misconduct Policy
- Craven Collaborative Schools Disciplinary Policy
- Single Equality Scheme
- Social and Media Policy
- College Charter
- Prevent Strategy
- Freedom of Speech Policy

1.0 EXECUTIVE SUMMARY

All students¹ are expected to respect the rights of others and take responsibility for their own actions. Students' responsibilities are to conform to academic rules and regulations and comply with acceptable standards of behaviour. Where there are instances of non-compliance, disciplinary action will be taken. This policy recognises three levels of non-compliance with suitable sanctions at each level, allowing Programme, Course Tutors and Progress Coaches to impose remedial and developmental actions at Level 1; Head of School or other appropriate Departmental Manager intervention at Level 2 misconduct. For gross misconduct a Senior Manager will conduct a Formal Hearing (level 3) which may lead to the ultimate sanction of expulsion. At each level the student has the right to appeal if they consider the judgement unfair or if the College has failed to follow correct procedures.

2.0 CONTEXT

Craven College is committed to meeting the needs of students by providing high quality education and training in an environment conducive to learning. In return the College expects a reasonable level of behaviour and commitment by individual students, relating to:

- Equality and Diversity
- Attitude to learning and study
- Safety and health
- Respect for the College environment and facilities
- Respect for Staff and Students

¹ In this document, student refers to students; apprentices; trainees.

This should ensure that all students are able to derive the maximum benefit from their study. This policy reflects the consequences of unacceptable behaviour.

The College is mindful, and will remain mindful when implementing this policy, of its legal obligations, including its obligations under the Equality Act 2010 and the Data Protection Act 1998. The individual needs of students (for example, those students with learning difficulties or disabilities, vulnerable students or where English is a second language) will be taken into consideration where appropriate in applying the policy and procedures.

The College is committed to promoting positive measures that eliminate all forms of unlawful or unfair discrimination. It seeks to adhere to its obligations under the Equality Act 2010 and the Public Sector Equality Duty (PSED) 2011 which is contained within law.

The College is committed to promoting equality and diversity best practice both within the workforce and in any other area where it has influence. The College will therefore take every possible step to ensure that this policy is applied fairly to all employees regardless of, for example: race, ethnic or national origin, colour or nationality; gender (including marital status); gender reassignment; age; disability; sexual orientation; religion or belief; marriage or civil partnership; pregnancy/maternity; length of service, whether full or part-time or employed under a permanent or a fixed- term contract.

3.0 THE POLICY

Craven College has clearly communicated expectations and standards that students must adhere to. The Student Behaviour and Disciplinary Policy will be used to address the behaviour of students who do not adhere to these standards.

A breach of discipline is defined as an 'act of misconduct' i.e. improper interference with the proper functioning or activities of the College or those who study or work in, or visit the College. This policy will also apply to students when they are out of College on organised College events, or when it is found that there is a link to the College or its reputation.

This Policy and the Disciplinary Procedures apply to all students aged 16 and over from enrolment and provides the framework within which student non-compliance with the Student Agreement will be managed. Students who are under 16 and where misconduct occurs will be referred back to their school or PRU. All stages of this procedure are designed to promote themes of respect, responsibility, resilience and recognition according to the definitions set out below.

The implementation of this policy is within the sphere of responsibility of all managers and their staff whether Curriculum or Support within College in order to facilitate adherence to the Student Agreement and to promote a harmonious College community.

3.1 A lack of respect is usually the root cause of negative or offensive behaviour, disruption and damage to property.

- **Respect:** Treating others with respect. Being polite and courteous. Respecting the freedom of others and their property. Taking care of other people's property and not taking other people's property without permission.
- **Tolerance and acceptance:** Respecting people's differences. Listening to the point of view of

others and trying to understand. Not judging people by their outside appearances.

- **Non-violence:** Solving disagreements peacefully, without violence. Dealing with anger peacefully and never using physical force to show anger or to achieve a desired outcome.
- **Courtesy:** Using good manners. Being polite and courteous to everyone. Not hurting others by embarrassing them, putting them down, or insulting them.
- **Self-respect:** Self-respect is at the heart of respecting others. When students can identify, appreciate and accept their own vulnerabilities, they will find it easier to truly respect others.

3.2 A lack of responsibility and accountability often leads to low integrity and feelings of entitlement that can result in negative behavior.

Responsibility means being in charge of individual choices, and therefore, one's life. It is:

- Committing to things and doing them;
- Accepting the results that come from one's actions;
- Knowing the difference between right and wrong;
- Stepping up to do something when no one else will do it;
- Thinking things through and making informed decisions;

3.3 A lack of resilience is a common cause of low level disruption and absenteeism.

Craven College will promote resilience in our students by encouraging them to become increasingly autonomous, independent, responsible and empathic; to approach people and situations with hope and trust. College staff must also demonstrate and teach students to communicate with others, solve problems, and successfully handle negative thoughts, feelings, and behaviours.

3.4 Recognition: leads to a deeper understanding and appreciation of one's self and one's environment and through the use of restorative practices Craven College will seek to increase the emotional intelligence of its students.

3.5 Before the Student Disciplinary Procedure is invoked

A member of staff with concerns about a student's academic progress or conduct must first meet with the student to try to resolve the issues through informal action planning to engender respect and responsibility, build resilience and recognition. Expectations of student behaviour are set out at appendix 1 of this policy.

4.0 LEVELS

4.1 There are four disciplinary levels and the alleged seriousness of the misconduct will dictate which level is initially invoked. Where investigations show that a lesser level is more appropriate, then that level will be invoked.

Disciplinary Level	Action	Action by	Appeal to
Level 1	Formal Verbal Warning	Study Programme Tutor or Course Tutor or Apprenticeship Advisor or SSL/Centre Manager	Head of School or other appropriate Departmental Manager
Level 2	Formal Written Warning	Head of School or other appropriate Departmental Manager	Vice Principal, Curriculum and Quality

Disciplinary Level	Action	Action by	Appeal to
Level 3	Formal Hearing	Formal Disciplinary Hearing Panel, chaired by Vice Principal, Curriculum and Quality ² who may decide: Formal Written Warning (Conditional Return) or Expulsion	Principal
Level 4	Automatic Expulsion	Vice Principal Curriculum & Quality	Principal

4.2 Appeals

Students may appeal against decisions and sanctions imposed upon them at each of the disciplinary levels on one or both of two grounds - that the judgement is unfair and/or that the procedure was not followed correctly. The above table outlines who would hear any appeal and the procedures are detailed in 5.9.

4.3 Involvement of the Police and Criminal Acts

Where a member of staff has reason to believe that a student may have committed a criminal offence, the College may at its discretion refer the matter to the police. In matters where the police are undertaking enquiries and/or where criminal proceedings are brought, the College may continue to take action under the procedure, including suspending a student or may stay any action during the course of or pending the outcome of the police enquiries and/or criminal proceedings. The College reserves the right to recommence action under the procedure at any time in relation to the application of the procedure the College is not bound by the outcome of any criminal proceedings against students.

4.4 Student Disciplinary Procedures – general information

Where a student is under 18 or is 18 and has signed consent to allow contact, then the student's parent/carer should be kept informed of all levels of formal disciplinary. The College will remain mindful when dealing with the matter of its obligations under the General Data Protection Act 2018. Where a student is in receipt of an Education Health and Care plan (EHCP) due regard will be given to the student's competency in terms of understanding (as referenced within the EHCP), up to the age of 25. Parents/ carers will be kept informed of any disciplinary proceedings if appropriate.

4.5 Informal Procedure

The informal procedure normally precedes the formal procedure except for acts of violence, bullying, theft or other actions which have potentially serious and/or unlawful aspects. Normally, students will be warned of low level misconduct. The third repetition of such misconduct will invoke the Formal Procedure i.e. a contract will be put in place and a Formal Verbal Warning (level 1) given to the student, who will be advised that failure to adhere to the contract or further misconduct will lead to Level 2 of the Disciplinary Procedure.

4.6 Appeals

Students may appeal at each of the levels of the Formal Disciplinary Procedure as indicated on page 5. The notice of appeal must be in writing to the post-holder indicated, see 5.9 for details.

² Or as directed by the Principal

4.7 Suspension

A student may be suspended with the authority of a member of the Senior Management Team, either in person or delegated to a Head of School or the appropriate Departmental Manager, pending action under this procedure where in that member of staff's reasonable opinion the student poses a risk of harm to themselves, and/or to others and/or a serious risk of damage to College property, and/or where it is necessary to enable the College to carry a fair and proper investigation. Suspension is a neutral act and is not a finding of guilt on the part of the student.

Such suspension will be confirmed to the student in writing within two days by Head of School or the appropriate Departmental Manager of the decision to suspend being made. Normally suspension will be for a short period to investigate the situation and determine whether disciplinary action is appropriate. For longer suspensions, the Vice Principal, Curriculum and Quality will review the suspension at such intervals as are reasonable in the circumstances to determine whether the factors that gave rise have materially changed. If in the Vice Principal's opinion any of those factors have materially changed it will be determined whether suspension should continue.

In the case of a student who is suspended, the student's Head of School or the appropriate Departmental Manager will consult with relevant staff to identify and organise any relevant work and/or support which may be provided to the student to be undertaken offsite during the period of suspension. Students may be allowed to attend College for specific purposes (e.g. examinations and/or assessments) with prior written consent of the Vice Principal, Curriculum and Quality and subject to any conditions which the College considers appropriate.

4.8 Investigations

Prior to a Level 2 meeting or a Level 3 hearing the College will normally carry out a prompt and proportionate investigation into the alleged misconduct. The student against whom the allegation(s) of misconduct has been made will normally be invited to give their version of events as part of the investigation.

The investigation will be carried out by an impartial member of College staff (the Investigating Officer) which will normally be the relevant Head of School or Appropriate Departmental Manager.

If the above are unavailable an alternative Investigating Officer will be appointed by the Vice Principal, Curriculum and Quality.

For Level 3, the Investigating Officer will produce a report following the conclusion of their investigation and will normally present the case against the student at the hearing on behalf of the College.

All witness accounts of events relating to the incident(s) to be dealt with at the meeting/hearing should be dated and signed by the person providing the account using the Written Statement Form who will be made aware prior to giving their account that the information will be verbally shared with the student against whom the misconduct allegation(s) has been made and will be used in connection with dealing with the matter in accordance with the Disciplinary Procedure.

The student should have the opportunity to contact a relative or friend to inform them of the situation. The interview may be delayed if the student requests that the relative or friend be present when they are interviewed. Students may be accompanied by a family member/friend or member of student support team.

4.9 Record Keeping

All disciplinary incidents will be held on the student's file until the end of the course and may be used in preparing references. Each incident will be recorded on a via the Student Disciplinary Record located on the staff intranet and reported monthly to SMT.

4.10 Variations and Amendments to these Procedures

In certain cases, it may be necessary that variations be made to these procedures to allow the disciplinary interviews to be conducted by different persons if the person who would otherwise be conducting the interview had previously had close personal involvement in the matter to be considered. The College will inform the student concerned, and this will be subject always to considerations of fairness.

4.11 Support for Students

The student may be supported by a relative or friend during the disciplinary process and/or may be supported by a member of the student support team.

4.12 Criminal Activity (whilst engaged in College activities)

The College reserves the right to report possible criminal activity to the Police and/or advise victims of their right to do so. Disciplinary action by the College may be deferred pending the outcome of criminal proceedings. Disciplinary action by the College can be taken regardless of the outcome of any criminal investigation by the Police. In some cases, the College may decide to suspend a student pending the outcome of proceedings. Mediation is not an appropriate method of resolution where criminal activity is proven.

5.0 PROCEDURES

5.1 Level 0

Responsibility: Programme Tutor, Unit tutor, Progress Coach or Apprenticeship Co-ordinator

Concerns are raised about academic progress or behaviour. The Study Programme Tutor meets with student to discuss and agree an Action Plan. The Concern and Action Plan is logged in the student's Individual Learning Plan (ILP) by the Progress Coach. The student is given the opportunity to make reparations or engage positively in restorative practices, including mediation.

5.2 Level 1: Formal Verbal Warning/s

Responsibility: Programme or Course Tutor, Progress Coach, SSL/Centre Manager or Apprenticeship Co-ordinator

- Allegations of misconduct covered by Level 1 will normally be dealt with by the Study Programme or Course Tutor or Progress Coach or SSL/Centre Manager or Apprenticeship Co-ordinator (as appropriate).
- The student will be informed of the allegations of misconduct made against them and given an opportunity to respond.
- Where the member of staff dealing with the misconduct determines that the student has committed the alleged misconduct a verbal warning shall be given to the student.
- Verbal warnings are official and a record will be kept on the student's file for the duration of the programme or course.
- The student will receive written confirmation using the Verbal Warning template of the outcome with reasons within 3 working days.

- An action plan will be put in place for the student, which may include apology, being 'on report', making good any damage caused, etc.
- The student will be informed that any repeat or further minor misconduct or failure to comply with the action plan imposed may result in actions being taken under level 2 and/or 3 of this procedure.
- The Study Programme or Course Tutor, Progress Coach or SSL/Centre Manager or Apprenticeship Co-ordinator as appropriate will make a record of the incident and the action to be taken, and this will be placed in the student's file.

5.3 Level 2: Formal Written Warning

Responsibility: Head of School or appropriate Departmental Manager

Allegations of misconduct covered by level 2 (including misconduct covered by level 1 being repeated) will normally be dealt with by the relevant Head of School or the appropriate Departmental Manager, as appropriate. Any breach of Health and Safety procedures, protocols or instructions that place students, staff, self or visitors at risk or disadvantage will be dealt with at the minimum level of stage 2.

- The relevant Head of School or the appropriate Departmental Manager, will invite the student or apprentice to a Level 2 meeting, to be held as soon as is practicable at which the allegations will be considered.
- The student or apprentice will be given a full opportunity to respond to the allegations at the meeting.
- The process to be followed at the Level 2 meeting will be at the discretion of the Head of School or appropriate Departmental Manager who may allow witnesses to attend and written evidence to be produced.
- Following consideration of the allegation at the Level 2 meeting, the Head of School or appropriate Departmental Manager will determine whether or not the student or apprentice has committed the alleged misconduct.
- Where a student or apprentice has been found to have committed the alleged misconduct, the Head of School or appropriate Departmental Manager may issue a Formal Written Warning which may include conditions on future conduct and/or an action plan.
- The student will be informed in writing of the outcome (with reason) of the Level 2 process within 3 working days of the Level 2 meeting.
- The student will be informed that any repeat or further misconduct or failure to comply with the action plan imposed may result in actions being taken under level 3 of this procedure.
- A record will be placed on the student's file, kept until to the end of the course unless there is a successful appeal

5.4 Level 3: Formal Hearing

Responsibility: Vice Principal, Curriculum and Quality, Chair of the Disciplinary Panel

Allegations of alleged misconduct covered by Level 3, will be dealt with by a Disciplinary Panel at a Level 3 Formal Hearing. If a student was involved in alleged gross misconduct, the student may be suspended for a period of up to 5 working days. On the day of the alleged gross misconduct, the Head of School will present the information to the Vice Principal Curriculum and Quality. Any suspension under this section 5 is a neutral act and does not imply any finding of guilt on the part of the student and is not a disciplinary sanction. The student will be informed of any decision to suspend under section 5 normally by telephone, in person or by letter on the same day and receive confirmation in writing within 5 working days of the date of the decision. Any serious breach of

Health and Safety procedures, protocols or instructions that place students, staff, self or visitors at risk or disadvantage will be dealt with at stage 3.

Extreme / misconduct examples but are not limited to:

- Physical violence;
- Dangerous / violent behaviour;
- Serious threat of violence
- Threat towards themselves or other students;
- Not adhering to health and safety / industry practices;
- Use of / dealing drugs / illegal substances on College premises;
- Forgery / theft
- Malpractice
- Fitness to Study / Practice;
- Deliberate damage to College property;
- Bullying / harassment
- Sending or accessing and/or downloading of pornographic/offensive material via the internet
- Behave in any way which adversely affects the reputation of the College
- Any criminal activities affecting the College or other students
- Unauthorised interference with software or data belonging to or used by the College

Following a completion of an investigation as described above, the Vice Principal for Curriculum and Quality will consider the evidence and determine whether a Formal Hearing is appropriate.

The student will be invited to a Formal Hearing at which allegations will be considered.

The Disciplinary Panel will normally consist of:

- Vice Principal, Curriculum and Quality
- Head of School (not connected with the student);
- Lecturer/SSL/Centre Manager (not connected with the student)

No member of the Disciplinary Panel may have had any previous involvement in the disciplinary process relating to the misconduct (including any prior level) except to suspend a student pending the Formal Hearing.

- The student will be informed in advance of the Formal Hearing in writing of the allegations against him/her together with a summary of the evidence in support of those allegations and will be given a full opportunity to respond to them at the Formal Hearing.
- The student will normally³ be given a minimum of 3 working days⁴ notice of the date, time and place of the Formal Hearing in writing, with details of the nature of the alleged misconduct, and a summary of witness statements and other evidence.
- The College will appoint a College Representative, normally the Head of School or appropriate Manager to present the allegations against the student to the Disciplinary Panel.
- The process to be followed at the Formal Hearing will be at the discretion of the Chair of the Disciplinary Panel.

³ There may be a variation when incidents occur near half-terms or the end of term

⁴ Working days referred to in this document are Monday to Friday inclusive, term time

- The Hearing of the matter may continue in the absence of the student if the student cannot demonstrate reasonable grounds for non-attendance on the day specified for the hearing, or at a postponed hearing. In the absence of the student, an opportunity should be given for the person representing the student to present the student's case.
- The hearing shall be formally recorded by an appropriate person i.e. a member of College Administrative staff.
- No electronic recording devices will be allowed at the hearing unless organised by the College. If this is the case the student may apply in writing within 5 working days of the Formal Hearing to the Chair for a copy of the recording.

5.5 Following the Formal Hearing

The Disciplinary Panel will determine whether or not the student has committed the alleged misconduct.

Where the student is found to have committed the alleged misconduct the Disciplinary Panel may impose one of the following sanctions:

- Formal Written Warning (Conditional Return) – which will include conditions and a behaviour contract and a warning of what action the College may take in the event of a breach by the student.
- Expulsion from the College in which case the student will be withdrawn immediately.

When establishing the facts in relation to an exclusion decision the Formal Hearing Panel led by the Chair must apply the civil standard of proof; i.e. 'on the balance of probabilities' it is more likely than not that a fact is true, rather than the criminal standard of 'beyond reasonable doubt.' This means that the Panel should accept that something happened if it is more likely that it happened than that it did not happen.

The Vice Principal, Curriculum and Quality shall, within 5 working days of the Formal Hearing, convey the decision in writing to the student and (in the case of a student under 18 or otherwise dependent) also to his/her parent/guardian.

The written decision to the student must include details of the right to appeal. A record will be placed on the student's file, marked in red on the electronic Individual Learning Plan (Promonitor) and kept until to the end of the course. Students may appeal (see 5.9 Appeals Procedure) if they consider the judgement unfair or that the procedure was not followed correctly. Students have a time limit of 10 working days of the date of the decision letter to inform the Principal that they wish to appeal.

5.6 Risk Assessment Panel

Where a student suffers from a particular illness which impacts on their Health and Safety, students and/or staff, and the College deems it inappropriate for the student to attend the College, a disciplinary hearing may not be the appropriate course of action to consider any breaches of the College's Student Agreement. When this is the case the following procedure will be instigated:

A full risk assessment will be carried out and supervised by the Health and Safety Manager. The risk panel will meet within ten working term-time days of the suspension/referral to assess how any disciplinary hearing may best be undertaken.

The student will be notified in writing of the procedure the College will use in these circumstances. The decision of the College shall be final.

5.7 Expulsion

A decision to expel a student permanently will only be taken:

- in response to a serious breach or persistent breaches of the College's behaviour policy; and
- where allowing the Student to remain in College would seriously harm the education or welfare of the Student or others in College.

Following the decision to expel a student, they will be withdrawn from their course, study programme or apprenticeship and an Early Leavers form completed. The expulsion could include terms that would enable the student to continue their studies from home with support from his/her tutors. This option can only be taken with the full support of the student's area of study.

It is usual to define a time period for this expulsion, usually at least one academic year.

Return to College after a period of time has elapsed from the point of expulsion and in another academic year may be considered by the Principal.

5.8 Automatic expulsion

There may be exceptional circumstances where the College forms the opinion that a student should be expelled without the student being invited to a formal hearing. The College reserves the right to automatically exclude a student permanently where the severity of the circumstances indicates that to do otherwise presents an unacceptable risk to students, staff and the College community.

5.8.1 The kinds of behaviour that automatic expulsion from College include but is not an exhaustive list are:

- A serious threat of violence against another student or member of staff or member of public on College premises
- Endangering other students, staff or visitors, including action likely to cause injury or impair health and safety on College premises, for example, acts involving damage to or discharge without just cause of, or other misuse of or interference with College equipment
- Where a student's actions put students, staff or visitors at serious risk or disadvantage
- Deliberately, or by negligence, causing damage to, or defacement of, any College buildings, IT systems, equipment, books or furnishings or any property of others
- Where the effect of a student's conduct and behaviour is deemed to be so serious that it damages the College's reputation
- Where there is considerable cause for concern as a result of the student being under the influence of drugs or alcohol at College or when participating in a College-related activity.
- Actual violence or physical assault
- Supplying illegal drugs to other students
- Sexual assault

To form the opinion that automatic expulsion from College, mitigating circumstances will be considered together with the incident investigation evidence:

- The student's age
- The student's history, (for example, disciplinary history; whether progressive discipline has already been tried; or personal history such as a recent trauma in the student's life)
- Whether the student can control his/her behaviour
- Whether the student can understand the possible consequences of his/her behaviour
- Whether the student's presence in the College creates an unacceptable risk to anyone else
- Whether the behaviour is related to harassment because of the student's race, ethnic origin, religion, disability, gender, sexual orientation or any other type of harassment.

5.8.2 The first 41 days (6 weeks) of a student's programme is a trial period for both College and Student. The College reserves the right to automatically exclude a student within the first 41 days. This only takes place in exceptional circumstances and post an investigation. These are circumstances where a student's behaviour is considered to be at great variance with the beliefs and values of the College and places staff, students or visitors at risk of the consequences of the student's behaviours.

5.9 Appeals Procedure

5.9.1 Grounds for Appeal

- Students have the right to appeal against any sanctions imposed upon them at levels 1, 2,3 and 4 of the Disciplinary Procedure on one or both of two grounds:
 - i. That the judgement is unfair
 - ii. That the procedure was not followed correctly
- Appeals against Formal Verbal Warnings must be made to the Head of School
- Appeals against Formal Written Warnings must be made to the Vice Principal, Curriculum and Quality
- Appeals against Formal Written Warning (Conditional Return) or Expulsion must be made to the Principal
- All appeals must be made within 5 working days of the disciplinary meeting or hearing
- Appeals must be in writing and must state the reason/s for the appeal
- The appeal interview must be arranged to take place within 15 working days of the receipt of the notice of appeal
- The student will be given at least 5 working days' notice of the time and place of the appeal interview, and can be accompanied by a relative/friend. Any student under 18 without relative/friend support will be accompanied by a member of staff from Student Support Services, which may be in addition to the relative/friend.
- Names of such people accompanying the student must be provided to the College 24 hours before the appeal hearing.
- The person conducting the appeal hearing may call for documents, witnesses or other preliminary enquiries.

5.9.2 Appeal Hearing

- Written statements can be prepared by the Programme Tutor/Course Tutor/SSL/Centre Manager/Head of School/ Vice Principal, Curriculum and Quality or other staff as appropriate and the student concerned
- At the Appeal Hearing the student will be invited to explain the reasons for the appeal, and give his/her case.

- The person who made the decision or recommendation will be invited to respond to the appeal and give reasons for the decision or recommendation.
- The person conducting the appeal may ask questions of both parties, and then consider whether to dismiss or grant the appeal. Witnesses would not normally be asked to attend.
- The decision may be to:
 - dismiss the appeal and uphold the original penalty
 - dismiss the appeal but impose a different penalty
 - allow the appeal and impose a lesser sanction
 - allow the appeal and take no further disciplinary action
- Formal notification of the outcome of the appeal will be sent in writing normally within 5 working days of the hearing.
- In the case of an appeal to the Principal about Expulsion, the decision of the Principal is final and the student and the Vice Principal, Curriculum and Quality shall be notified of the decision in writing within 5 working days of the close of the hearing.

6.0 USE OF REASONABLE FORCE

Departmental guidance states that all members of school or College staff have a legal power to use reasonable force (Section 93, Education and Inspections Act 2006). This power applies to any member of staff at the College. It can also apply to people whom the Principal has temporarily put in charge of students such as unpaid volunteers.

In a College, force is used for two main purposes, to control students or to restrain them. Force will never be used as a punishment. The decision on whether or not to physically intervene is down to the professional judgement of the staff member concerned and should always depend on the individual circumstances. Reasonable force can be used to prevent students from hurting themselves or others, from damaging property, or from causing disorder.

The use of force is reasonable if it is proportionate to the consequences it is intended to prevent. This means the degree of force used should be no more than is needed to achieve the desired result.

Circumstances in which force might be appropriate include but are not limited to:

- removing disruptive students from the classroom where they have refused to follow an instruction to do so
- preventing a student behaving in a way that disrupts a College event or a College trip or visit
- preventing a student leaving the classroom where allowing the student to leave would risk their safety or lead to behaviour that disrupts the behaviour of others
- preventing a student from attacking a member of staff or another student, or to stop a fight in College
- restraining a student at risk of harming themselves through physical outbursts.

Reasonable adjustments will be made for students with special educational needs (SEN).

7.0 SUSPENSION FOR NON-PAYMENT OF FEES

In the event that a student fails to pay the required course fees, and once legal action has reached small claims action, a student may be suspended from their course by the Vice Principal - Finance and Resources following consultation with the relevant Head of School and/or certificates withheld

until the full debt is recovered or they have agreed a mutually acceptable method of payment in writing with the Vice Principal - Finance and Resources. For further information, see the College's Fee and Refund Policy.

APPENDICES

APPENDIX 1: Student Agreement

PLEASE

- ✓ Wear your student ID card at all times
- ✓ Be courteous and polite to staff, students and visitors at all times
- ✓ Respect other people's values and beliefs
- ✓ Take responsibility for your learning by:
 - attending regularly and punctually
 - working to the best of your ability
 - meeting deadlines and submitting coursework on time
 - asking for help, advice or learning support if you need it
 - follow examination and assessment regulations
- ✓ Respect College property and facilities
- ✓ Be responsible for the Craven College environment – keep it clean and free from litter
- ✓ In professional and vocational classes, adhere to the dress code
- ✓ Follow College policies and procedures
- ✓ Follow any reasonable instruction given to you by a member of College staff
- ✓ Turn your mobile phone off in class
- ✓ At all times uphold UNITED values

NEVER

- × Consume food or drink (except water) in classrooms, the Learning Resource Centres or any other non-designated areas
- × Use foul or offensive language
- × Use your mobile phone or earphones in class without the permission of the person in charge
- × Incite anyone to violence or terrorism
- × Let your actions harm or offend anyone, this includes not spitting anywhere on College premises
- × Access music through the College computers for your personal use and only listen to your own music in agreement with your tutor
- × Smoke or vape anywhere on College premises except in the designated areas
- × Behave in a disruptive, aggressive, abusive, intimidating or anti-social way
- × Disrupt or interfere with the education or learning of fellow students
- × Display or circulate any material which is designed to cause offence or distress to others
- × Be intoxicated whilst at College due to alcohol or use of recreational drugs
- × Consume or possess toxic, dangerous or controlled substances

PLEASE



NEVER

- × Make or send annoying, obscene, malicious or indecent telephone calls, text messages, emails or any source of social media
- × Cause malicious damage to, or theft of, the property of other students, staff or visitors to the College
- × Gain unauthorised access to or make modifications to College files or computer materials
- × Carry any weapon or any other object with the intention or purpose of use in a threatening way
- × Falsify College documents or submit materials or work for assessment which has not been made or authorised by you
- × Take part in any illegal activity.
- × Behave in any way which adversely affects the reputation of the College.

APPENDIX 2: Examples of Non-compliance

Level 1

Examples include but are not limited to:

- Swearing, taunting of any kind including name calling on the basis of gender, race, disability or sexual orientation
- Inappropriate use of mobile phone or other social device during scheduled class time
- Loud and boisterous behaviour, including blocking corridors, stairs and entrances
- Spitting, dropping litter in classrooms, corridors or College grounds (NB dropping litter in the street is an offence which can be prosecuted)
- Minor academic misconduct
- Smoking on College premises except in the designated area/s
- Failure to comply with any reasonable request or instruction given by a member of staff
- Failure to attend classes without reasonable explanation and apology to the tutor
- Late arrival at class without reasonable explanation and apology to the tutor
- Failure to complete work set, without reasonable explanation and apology to the tutor
- Any behaviour that disrupts the teaching or learning activity
- Non-compliance with any College regulations

Level 2

Examples include but are not limited to:

- More serious levels of all Level 1, for example repeated poor behaviour and/or refusal to comply with staff requests or instructions
- Less serious levels of all Level 3, for example where the investigation reveals mitigating factors
- All instances of bullying are at least Level 2
- All instances of aggression are at least Level 2
- All instances of driving in the College Car Park without due care and attention of pedestrians
- Moderate academic misconduct

Level 3

Examples include but are not limited to:

- Any one of these acts of misconduct committed once may result in expulsion. Examples include but are not limited to:
 - An act of violence against students, staff and/or visitors to the College
 - Threatening behaviour towards student/s, staff and/or visitors to the College
 - Harassment, bullying or intimidation, including unwanted sexual advances, of or to students, staff, or visitors to the College, or other College stakeholders
 - Publication or distribution of any insulting or libellous allegations towards other students, members of staff or College including social networking sites
 - Taking or using images of student/s, staff, or visitors to the College, or other College stakeholders without their agreement, including images for coursework and on any published on a social networking sites
 - Publication or distribution of obscene material or material which incites racial problems
 - Misuse of the College facilities such as Internet or email for the obtaining or distribution of obscene material
 - Serious academic misconduct such as plagiarism (copying or cheating)
 - Theft of College property, or property of students, staff or visitors to the College

- Damage to College property, including acts of vandalism, writing on walls, damage to property of students, staff or visitors to the College
- Possession or supply of illegal substances
- Possession or supply of offensive weapons, such as knives
- Attendance at College whilst unfit through drink or prohibited drugs
- Non-compliance with the College's zero tolerance to drugs and alcohol