

DISCIPLINARY POLICY STUDENT DISCIPLINARY PROCEDURE

A SCOPE AND PURPOSE

- The procedure applies to **all** students at Grantham College.
- Separate and additional processes as outlined at the end of this policy may be applied to Key Stage 4 students
- The purpose of the procedure is to promote and maintain high standards of personal conduct whilst in college and to ensure the fair and equitable treatment of all students in relation to any disciplinary action.

B GENERAL PRINCIPLES

- The need to implement the disciplinary procedure should be a rare occurrence in the college and in most cases should be a last resort rather than an immediate response to a situation. Poor behaviour (e.g. talking inappropriately, use of mobile electronic devices, eating in classrooms) should be dealt with in the first instance by talking with the student and explaining why this is not acceptable. With some students this may need reinforcing before the behaviour is changed. Formal procedures should only be used where such interventions have not resolved the problem with the individual(s) concerned. If appropriate the lecturers should document the intervention, record it on ProMonitor and inform the Student Mentor.
- There should be a clear distinction between implementing a formal procedure **and** any routine intervention by a lecturer or Curriculum Manager following a report of indiscipline. It is acceptable for Curriculum Managers to remove a student from the learning environment for reasons of safety (to that individual or others) to allow for a 'cooling off' period. This removal is a temporary measure and the student(s) concerned should be instructed to return to College on the next working day. Such removal is notified in writing to the parent/carer of the student(s) concerned by the Assistant Principal - HR & Student Services or, in their absence, the Deputy Principal or Principal. This removal does not constitute a suspension and will not automatically subject the student(s) to the formal procedure.
- The disciplinary procedure relates to any behaviour that is contrary to the maintenance of good order, discipline or safety within the college environment. It also relates to absences, punctuality and standards of work.
- Allegations of a disciplinary offence are to be dealt with as a matter of urgency; however, no disciplinary action will be taken until after a full investigation of the case has been carried out.
- Where allegations concern serious breaches of discipline, the student may be suspended whilst the investigation is made. Only the Chief Executive, Principal, Deputy Principal or the Assistant Principal - HR & Student Services have the authority to suspend a student.
- Each stage of the proceedings will be recorded in writing and, where appropriate, communicated as below.

Where students are between 14 and 19 years of age copies of all correspondence originating from the college will be sent to the parent/carer, and where appropriate, the pupil's school. Should any student to whom the disciplinary process applies be studying at college via an employer, then copies of correspondence will also be sent to the employer.

Students over the age of 18 may request that correspondence is not sent to their parent/carer. Any such request should be made in writing to the Assistant Principal - HR & Student Services.

C DEFINITIONS

Throughout the procedure the following terms are defined as:

- **Disciplinary Sanction:**

A Disciplinary Sanction will be one of the following:

Stage 1	Verbal Warning
Stage 2	Written Warning
Stage 3	Final Written Warning
Stage 4	Exclusion

- **Suspension:**

A student may be suspended for up to 5 days whilst an investigation is undertaken. It will usually be followed by a Disciplinary Hearing.

- **Disciplinary Meeting:**

A Disciplinary Meeting will consider issues of standard of work, conduct and repeated unauthorised absence. A Final Written Warning is the maximum sanction that can result from a Disciplinary Meeting.

- **Disciplinary Hearing:**

A Disciplinary Hearing will consider issues of serious misconduct. It will also consider issues of standard of work, conduct and repeated unauthorised absence where the anticipated sanction is exclusion.

- **Disciplinary Appeal Hearing:**

A Disciplinary Appeal Hearing will consider the outcomes of either Disciplinary Meetings or Hearings.

D FORMAL PROCEDURE FOR UNSATISFACTORY STANDARD OF WORK, CONDUCT AND UNAUTHORISED ABSENCE

The Student Life Manager is available to discuss any issue relating to discipline at any stage of the process regardless of the severity of the issue.

- At any Disciplinary Meeting the student will be given the opportunity to state their case and will have the right to be accompanied by a parent/carer or other agreed adult representative. It is not appropriate for a member of staff or peer of the student to accompany the student. Failure to attend the meeting will not delay or affect the discussion of the case.
- Student Improvement Plan (SIP)

As part of both formal and informal procedures it may be necessary to place the student on a Student Improvement Plan (SIP) – see Student Improvement Plan Guidance for Staff. Should it be felt that the situation warrants more formal proceedings, then Stage 1 should be enacted.

- **Stage 1 – Verbal Warning**

If, following discussions as described above, the standard of work or conduct does not meet acceptable standards or if short-term absence is of concern, the student will normally be given a formal Verbal Warning.

The Verbal Warning will:

- Be given by the lecturer or assessor and will give details of the complaint against the student, the improvement required and the time limit within which such improvement must be achieved.
- Advise the student in writing of the reason for the warning, that it is the first stage of the formal disciplinary procedure and that they have the right to appeal. A letter will be made available for the parent/carer/employer as appropriate.
- Be placed on the student's file.
- Be removed from the student's file after 6 months, subject to the student's standard of work, conduct and attendance having been satisfactory throughout that period. Where verbal warnings number in excess of 2 in any 6-month period, a written warning will automatically be triggered.

Although issuing of multiple verbal warnings for different issues may be acceptable, the option to progress to Stage 2 Written Warning should always be considered for further transgressions. The advice of the Student Life Manager should be sought if necessary.

- **Stage 2 – Written Warning**

If, despite having been offered support and given the maximum formal verbal warnings the student commits a further offence of misconduct or their work performance remains unsatisfactory, or he or she continues to have a poor attendance record, the student will be given a Written Warning.

The Written Warning will:

- Be given by the Curriculum Manager and will give details of the complaint against the student, the improvement required and the time limit within which such improvement must be achieved.
- Advise the student of the right to appeal.
- Be placed on the student's file.
- Be removed from the student's file after 12 months, subject to the student's standard of work, conduct and attendance having been satisfactory throughout that period.

Note: If a student's unsatisfactory work standard, conduct or attendance is considered sufficiently serious, a student can be issued with a written warning without previously having been issued with a verbal warning.

- **Stage 3 – Final Written Warning**

If, despite having been given appropriate support and a written warning, the student commits a further offence of misconduct or their work performance remains unsatisfactory, or they continue to have a poor attendance record, the student will be issued with a Final Written Warning.

The Final Written Warning will:

- Be given to the student by the Student Life Manager with copies made available to the Curriculum Manager lecturer, Student Mentor and parent/carer/employer as appropriate.

- Give details of the complaint against the student, the improvement required and the time limit within which such improvement must be achieved.
- Advise the student of the right to appeal.
- Be placed on the student's file.
- Be removed from the student's file after 18 months, subject to the student's standard of work, conduct and attendance having been satisfactory throughout that period.

Note: If a student's unsatisfactory work standard, conduct or attendance is considered sufficiently serious, a student can be issued with a final written warning without previously having been given a written warning or a verbal warning. This is at the discretion of the Student Life Manager.

- **Stage 4 – Exclusion**

If, despite having been given appropriate support and a written warning, the student commits a further offence of misconduct or their work performance remains unsatisfactory, or they continue to have a poor attendance record, or they commit an offence of serious misconduct, the student may be permanently excluded.

The Notice of Permanent Exclusion will:

- Be given to the student by the Assistant Principal - HR & Student Services, copied to the Curriculum Manager, lecturer, Student Mentor and parent/carer/employer as appropriate;
- Be in writing and will specify the reasons for the proposed permanent exclusion and the date and time at which the proposed exclusion will be discussed.

Upon being given notice of proposed exclusion, the student shall have the right to make representation at a Disciplinary Hearing to the Assistant Principal - HR & Student Services who will then make recommendations to the Principal whether or not to continue with the exclusion. The period of time between the Notice of Proposed Exclusion and the Hearing may be used as an opportunity for suspension if deemed appropriate.

A parent/carer will be invited to be present at any such meeting. Students not living at home with their parent or carer will be entitled to be accompanied by a representative of their choice, though this person should not be another student of Grantham College.

The student will receive 3 working days' notice of the Hearing and, unless the suspension option is enforced, the exclusion will not take effect until after the Hearing. At the end of the Hearing the student will be advised of the outcome, their right to appeal, and will be sent written confirmation of the decision within 5 working days of the Hearing.

- **Suspension**

If a student is alleged to have committed a serious offence e.g. assault, criminal damage, serious theft, drug or substance misuse, or any other offence which constitutes a breach of the law, the student may be suspended for up to 5 days whilst an investigation takes place. This will normally be followed by a Disciplinary Hearing. Only the Chief Executive, Principal, Deputy Principal or the Assistant Principal - HR & Student Services has the authority to sanction a suspension. If the student is on a 14-19 programme the parent/carer and, where appropriate school, will be informed by telephone. Should the student be studying at college via an employer, the employer

will be contacted in a similar manner. This will be followed by written confirmation of the action to all interested parties.

E FORMAL PROCEDURE FOR SERIOUS MISCONDUCT

Any allegation of serious misconduct is to be immediately reported to the Assistant Principal - HR & Student Services who will appoint an investigating officer, usually the Student Life Manager or if more appropriate, the matter will be referred to the Police or other authority. Serious misconduct includes, but is not limited to, incidents such as assault, criminal damage, dealing of illegal substances on the premises or theft of items of significant value such as construction tools, portable electronic devices or equipment. Any Investigating Officer will not be wholly or partly responsible for determining the disciplinary sanction. The Investigating Officer will report the outcome to the Assistant Principal - HR & Student Services who will instigate the appropriate steps of the disciplinary policy.

F APPEALS PROCEDURE

A student who wishes to appeal against disciplinary decisions should appeal in writing within 3 working days of the decision, addressing their appeal to the staff identified as follows:

Written Warning:	Student Life Manager
Final Written Warning:	Assistant Principal - HR & Student Services
Exclusion:	Principal

The appeal will be heard within 5 working days and the decision communicated in writing. The student will be entitled to make representation at the appeal hearing and to bring a parent/guardian or, if not living in the parental home, a representative of their choice to that meeting. Any exclusion will remain in force pending the outcome of the appeal.

In the case of an appeal against exclusion the Principal will hear the appeal.

The student may bring a representative of their choice to the hearing. The Principal will appoint a Presenting Officer to present the case against the student. The Presenting Officer will be the senior manager who authorised the exclusion (either the Deputy Principal or the Assistant Principal: Services for Students).

The Principal will invite the Presenting Officer to outline the case; the student will be invited to ask questions and present any mitigating circumstances or explanations. The Presenting Officer will be invited to ask questions of the student. The Principal will communicate the decision verbally immediately and in writing within 5 days. The Principal has the power to uphold the exclusion, extend it whilst further investigations are made or reinstate the student with a recommendation for different action.

G USE OF FORCE TO CONTROL OR RESTRAIN STUDENTS

It may in very rare occasions be necessary to use reasonable force when dealing with students. The use of force is strictly controlled by legislation. Section 550A of the 1996 Education Act came into force on 1st September 1998. This clarifies the law on physical contact between school staff and students. Section 206 and Schedule of Education Act 2002 extends the provision to any institution in the FE sector. Our duty

of care as employers also requires us to have clear guidance for staff who may be faced with confrontational situations.

“Reasonable Force” is difficult to define but the term can only be applied to circumstances that warrant the use of force (i.e. are not trivial). Force must be proportional to the circumstances and should be the minimum to achieve a result (taking into account the age, understanding and sex of the student).

Whenever possible a verbal warning should be given before force is used. A member of staff should not intervene physically if they are going to put themselves at risk but instead should immediately seek assistance. Assistance can be obtained via switchboard in the form of a security guard and/or police.

Examples of reasonable force include:

- holding a student;
- pushing or pulling;
- leading a student by the hand or arm;
- shepherding a student by a hand on the back.

Staff who have undergone appropriate training may be called upon to assist under these circumstances. A list of names is held at the switchboard. However there may be instances when other staff members need to use reasonable force. The only situation in which such use of reasonable force could be appropriate is in self-defence or where there is serious imminent risk of injury to another student or member of staff. Examples of such situations include:

- student attacking another student or a member of staff;
- a student is putting others at risk by misuse of material or objects;
- a student leaves a class without permission and in doing so may themselves be at risk;
- uninvited members of the public presenting a danger to others on College premises, however this should always be referred to the Police for their assistance.

Warning

Staff should not act in a way that might be expected to cause injury unless there is an immediate risk of serious injury.

Staff should always avoid any contact that could be considered indecent.

Striking a student should always be avoided.

Any form of corporal punishment remains strictly against the law.

Reporting of incidents:

Incidents should be logged immediately and reported to either the Assistant Principal - HR & Student Services or Deputy Principal.

A record must be kept of any incident involving the use of force on a student. The record will be passed to a member of the College SLT.

The record should note briefly:

1. Name of student and place of incident;
2. Names of witnesses (staff and students);
3. Reasons for the use of force;
4. Details of the event;
5. Outcome of the incident;

6. Any injuries or damage to property;
7. Action taken by member of staff.

The Assistant Principal - HR & Student Services or the Deputy Principal will contact parents/carers where appropriate and give details of incident.

This section covers extreme cases where control or restraint of a student/s is justified and it is expected that the need to use any type of force will be at a minimum level. The strong advice to all staff is to avoid physical contact unless absolutely necessary.

Additional information

There may be occasions when a student is deemed to be in a condition that renders them unsuitable for study. Examples include, but are not limited to, being under the influence of alcohol, stimulants such as energy drinks or illegal substances. The first priority is safety and the student should be removed from the classroom situation as quickly as possible. If a student under the age of 18 is to be sent home this should only be done with the knowledge of the parent/carer and ideally they should collect the student. In the case of older students a view should be taken on whether it is safe to send them home alone. The Curriculum Manager should deal with the matter wherever possible, in their absence the Student Life Manager. Such exclusions are deemed temporary and will not automatically lead to disciplinary action. The Curriculum Manager should discuss with the Assistant Principal - HR & Student Services the action that should be taken on the student's return to college.

Key Stage 4 students

Key stage 4 students, bearing in mind their relative immaturity, may require differing earlier sanctions before progressing through the full College disciplinary policy. If all attempts to manage behaviour within the classroom have failed, students may be sent to stand immediately outside of the door for a period of 2-5 minutes. At the end of this time, they will be accepted back into the classroom and an apology for the poor behaviour required.

Students should be regularly reminded of the need to keep their mobile phone switched off and in their bags. Students who repeatedly ignore this instruction may have their mobile phone removed and left with the Student Life Manager, or in their absence, the Assistant Principal - HR & Student Services, for collection at the end of the day.

Work Based Learning students

The lecturer should issue an apprentice with a disciplinary warning in the same respect as a full-time student, using the same incremental process through the disciplinary policy. The Curriculum Manager and the relevant Apprenticeship Advisor should be informed in addition to the remainder of the teaching team at all stages. The Apprenticeship Advisor will be responsible for informing the employer so that any action deemed appropriate by the employer can be taken.

Students with an Education, Health Care Plan (EHCP) & Looked After Children (LAC)

Due to students with Special Educational Needs (SEN) and those who are looked after (LAC) being particularly vulnerable to the impacts of exclusion, the college will, as far as possible, avoid permanently excluding students within these groups.

Where exclusion is deemed necessary then the college will commit to working with Children's Services, and/or any other supporting agency, to consider alternative or additional support through an emergency review.

Section 4 of the DFE statutory guidance 'Exclusion from maintained schools, Academies and pupil referral unit in England' should be applied when considering exclusion of LAC or students with an EHCP.

Quality Assurance – version control			
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