



College

Student Disciplinary Policy

Policy Details	
Policy Owner	Head of Student Services
Date produced	September 2021
Approved by	Policies and Procedures Committee
Date approved	23 September 2021
To be reviewed	Annually
Publication	4Policies
Version	6

1. Statement of intent

- 1.1** It is the aim of USP College to create an environment where exemplary behaviour is at the heart of productive and Career Focussed Learning. The College will promote positive behaviour and a culture where students accept responsibility for their behaviour and encourage others to do the same. These expectations are made clear to students when they join USP College and are reinforced throughout their time here. A structured staged process of supportive interventions ensures any behaviour or concerns that do not reflect the College's Values & Behaviours are dealt with swiftly to ensure the College is a safe environment for all that is conducive to learning, success and progression.

2. Introduction and purpose

- 2.1** The College recognises that most instances of poor behaviour can and should be dealt with informally and promptly by an appropriate member of College staff without recourse to the Student Disciplinary Policy. A note of such a warning will be recorded on the College tracking system and staff informed
- 2.2** The College is committed to ensuring that students subscribe to a culture of positive behaviour during their time at College as a place of work. These standards apply to all students, regardless of status. The purpose of this policy and related procedural guidance is to:
- a. Create a culture of excellent behaviour which is suitable for a place of work and reinforces the expectation of employers
 - b. Protect students' learning experience from disruption caused by their own or others misconduct
 - c. Ensure all staff and students are treated with respect and in accordance with the College's Values & Behaviours
 - d. Promote appropriate behaviour through positive interventions
 - e. Ensure students and staff are aware of their responsibilities regarding behaviour
 - f. Clarify the rights of students in respect to disciplinary action resulting from breaches of College rules
 - g. Provide a framework where disciplinary issues can be resolved within a supportive environment
 - h. Identify staff responsibilities in handling disciplinary issues
- 2.3** The 'College' is defined as any College sponsored event or anywhere where the College provides education and training
- 2.4** If the student is less than 16 years old and from another educational establishment e.g. a local school, then the College will seek to involve representatives of that educational establishment and utilise the school's established disciplinary/behaviour procedure, and draw guidance from the School's Code of Behaviour for under 16 year olds
- 2.5** If the student is studying a Higher Education programme, where relevant, consideration will be given to the partner organisation and their relevant policies and procedures
- 2.6** 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, work in, or visit the College. Appropriate behaviour will also apply to students when they are out of College on organised College events, travelling to and from College, or when it is found that there is a link to the College or its reputation
- 2.7** All students are expected to subscribe to the College's specified standards of behaviour. This includes:
- a. Taking full responsibility for their own learning and progression

- b. Being committed to all aspects of their study programme by participating fully in all learning activities
- c. Meeting assessment and examination requirements. Which includes completing and handing in, on time, all work set which must not be plagiarised
- d. Maintaining a minimum attendance of 90%, being punctual to all lessons attended and accounting for any absences by following the correct absence procedures.
- e. The compulsory and correct wearing of a College identity card and lanyard at all times
- f. Not wearing any headwear (except that for religious or medical purposes) whilst on the College Campus which includes caps, hoods, beanies & durags.
- g. Following the classroom expectations at all times
- h. Ensuring all phones are on silent and in bags for each lesson
- i. Engaging in a positive manner in all lessons and once in the lesson remaining there for the duration of that lesson
- j. Using appropriate language, tone and volume at all times
- k. Respecting the College environment and only smoking in the designated smoking area
- l. Taking responsibility for their own and others' health and safety
- m. Respecting themselves and others at all times
- n. Being fully equipped and prepared for learning at all times

3. Related Policies/ Procedure

3.1 The following other policies are related to this policy

- a. Student Attendance Policy
- b. Safeguarding & PREVENT Policy
- c. Bullying & Harassment Policy
- d. Bursary Policy
- e. Attendance Improvement Process (Appendix 2)

4. Examples of Misconduct

4.1 The following illustrates behaviour which is likely to signify misconduct, but is neither exclusive nor exhaustive:

- a. Failure to comply with a reasonable request from a member of staff
- b. Acts of malpractice and plagiarism
- c. Smoking in non-smoking areas
- d. Any unruly noise, or unruly behaviour, or the use of foul or abusive language
- e. Disrupting any class or any other College activity, whether or not involving staff or other students
- f. Disruption of, or improper interference with, the academic, administrative, sporting, social or other activities of the College, including offensive behaviour, whether on College premises or elsewhere
- g. Any unauthorised interference with software, or data belonging to, or use by the College
- h. Malicious communications, including electronically and inappropriate comments on any social media site or messaging service regarding the College / members of the College
- i. Obstruction of, or improper interference with, the functions, duties or activities of any student, member of staff or other employee of the College or any visitor to the College
- j. Action likely to cause injury or impair health and safety on College premises, e.g. acts involving damage to or discharge without just cause of, or other misuse of or interference with, a fire extinguisher or other fire safety equipment

4.2 Failure to comply with any government or college guidance due to the COVID-19 pandemic will lead to disciplinary action.

5. Examples of Serious Misconduct

5.1 The following illustrates behaviour which is likely to signify serious misconduct, but is neither exclusive nor exhaustive:

- a. Verbal abuse of staff, other adults or students
- b. Bullying, including cyberbullying
- c. Discriminatory conduct on the basis of the Equality Act 2010, including actions that are sexist, homophobic, racist or on the basis of religion/belief or which is offensive to those with learning and/or physical disabilities
- d. Deliberately, or by negligence, causing damage to, or defacement of, any College buildings, equipment, books or furnishings or any property of others
- e. Acts of dishonesty, including theft, fraud, deceit, or deception in relation to the College, its staff, its students or its visitors
- f. Endangering other students, staff or visitors
- g. Violent, indecent, disorderly, threatening, or offensive behaviour or language whilst on College premises or engaged in any College activity
- h. Physical or verbal assault
- i. Drunkenness or suspected intoxication on or near College premises
- j. Possession of drugs, or suspected to be under the influence of drugs or involvement in any drug related activity whilst on or near College premises
- k. Behaviour, which has a significant adverse impact on the College's reputation
- l. Inviting anyone onto College premises who is not a member of the College
- m. Being in possession of an offensive weapon
- n. Peer on peer abuse - please see separate process for details of how instances will be handled.

5.2 The College determines that, in addition to legislative guidance, any knife, irrespective of length, constitutes an offensive weapon and should not be brought into College. In addition to knives, axes, BB guns, air guns, GATT guns, catapults, slings, etc. will also be deemed to be offensive weapons. Other types of offensive weapons will include lengths of pipe, craft knives, bats, other blunt instruments, possession of any corrosive liquid or items judged by the College to be carried with the intention to inflict injury on another individual - this includes fireworks, blades, chemicals etc...

6. Summary Exclusions

6.1 Following an investigation, where there is conclusive evidence the College will summarily exclude any student:

- a. Where the effect of their conduct and behaviour is deemed to be so serious that it damages the College's reputation
- b. Who is under the influence of drugs and/or alcohol
- c. In possession of an offensive weapon
- d. Whose actions put students, staff or visitors at serious risk. The student may be suspended during the investigation

6.2 There is no right of appeal for a summary exclusion.

7. Serious Breaches

7.1 A Serious Breach is an incident that may lead to suspension pending a Stage Three meeting. The outcome of which could be final written warning, permanent exclusion or no further action. Serious breaches must be referred immediately to a Duty Manager, the Head of Student Services, Positive Behaviour Officers or nominated deputy. A member of the Senior Management Team (SMT) may be informed depending on the nature of the incident. All incidents will be thoroughly investigated by the Head of Student Services, Positive Behaviour Officers or nominated deputy. Judgements will be made as to the appropriate course of action and apply the principle of 'balance of probability' based on the evidence available. The College

is not required to prove 'beyond reasonable doubt'.

8. Exceptional Final Written Warnings

- 8.1** Where there is clear and uncontested evidence that a student's behaviour directly merits a final written warning the Duty Manager, Head of Student Services, Positive Behaviour Officers or nominated deputy may issue a final Written Warning without holding a Stage Three meeting. There is no appeals process for these warnings.

9. Stage Three Meetings

- 9.1** Where a Stage Three meeting is being held in response to a serious breach of the policy the panel will consist of the Head of Student Services, Positive Behaviour Officers or nominated deputy (the Chair) accompanied by another College manager and if relevant a member of the Safeguarding/Wellbeing team. The Assistant Principal/s may on occasion chair the meeting if necessary.
- 9.2** For persistent minor acts of misconduct the panel will consist of a Head of Learning (the Chair), accompanied by another College manager and if relevant a member of the Safeguarding/Wellbeing team. The position of Chair maybe delegated to the Head of Student Services, Positive Behaviour Officers, nominated deputy or another member of the Senior Management Team (SMT) in appropriate circumstances. The Chair will take overall responsibility for the outcome. Administrative Support will be present to take minutes and produce an outcome letter.
- 9.3** Where there is a persistent breach of the policy and a student has continually not met targets set at previous interventions the Heads of Learning may recommend exclusion/withdrawal from College. In these instances the Head of Learning would present evidence prior to the meeting to the Behaviour Management panel. The Behaviour Management Panel will meet on a weekly basis and consist of the Head of Student Services, Positive Behaviour Officers, Assistant Principals or nominated deputy. The panel would review the evidence and support or decline these recommendations.
- 9.4** The students' parents/carers/guardians will be invited to attend. If the student is over 18 years of age at the start of the course they may opt to bring a 'friend' in place of parents. All parties will be given, three working days' notice of the meeting where possible (The notice period for the meeting and requests to change the date are at the Chair's discretion).
- 9.5** No electronic recordings are permitted at these meetings.
- 9.6** In instances of abusive behaviour the Chair will end the meeting and the Panel will meet in private, to agree the outcome.
- 9.7** In instances when a student fails to attend the meeting, the Chair has the discretion to either reschedule or to hold the meeting in the students' absence. Means will be made to contact the student and parents/carers in this instance prior to a meeting being held without the student present.
- 9.8** The outcome of the meeting will result in one of the following outcomes; no further action, Final Warning or Permanent Exclusion or withdrawal from College. The outcome will be communicated, in writing within five working days, to those attending the meeting and recorded on the College tracking system. All outcomes of these panel meeting are at Stage Three and this will be made clear to the student.
- 9.9** Administrative Support will update the College tracking system of all letters and agreed actions taken.
- 9.10** The Head of Learning will monitor the agreed conditions/targets.

9.11 The Head of Registry and Exams (attendance), Management Information Systems (MIS), Work Experience, Head of Additional Learning Support and the Safeguarding/Wellbeing team will be informed, by the Administrative Support, of any suspensions or exclusions in order for registers to be updated and accurate.

9.12 As a result of the current pandemic the following requirements have been included to ensure the ongoing physical health and welfare of the whole College community. This will be reviewed and may be changed in accordance to government or College directives as appropriate.

Where possible and appropriate we will endeavour to convene Stage 3 meetings remotely using Microsoft Teams. This will allow us to comply with government social distancing guidelines. Only where this is not possible, a Stage 3 meeting will be held at the respective Campus.

10. Appeals

10.1 There is the right of appeal against a permanent exclusion if additional evidence is made available which was not known at the Stage Three meeting or if the College has not followed correct procedures. There is no right of appeal against any other process within the policy although the College Complaints Procedure applies if students feel they have been wrongly treated.

10.2 Appeals should be made in writing, setting out the reasons for the appeal and should be delivered within five working days of the exclusion, to the Principal's PA. At the discretion of the Principal & Chief Executive Officer the student may be invited to an appeal meeting, which would normally take place within 10 working days. The Principal & CEO will respond to all appeals within 10 working days. Where an appeal is upheld the exclusion will be revoked without any detriment to the student.

11. Suspensions

11.1 Serious misconduct can result in suspension whilst a matter is investigated. The Duty Manager, Head of Student Services, Positive Behaviour Officers or nominated deputy will liaise with students and where students are under 18 years of age, parents/carers, to inform them of any suspensions and subsequent actions.

11.2 Whilst on suspension the student should not be in the vicinity of the College or return to the College until invited to do so. They must not contact staff or students and no reference on any social media site or messaging service should be made in regard to the suspension or matter being investigated.

11.3 Following suspension, the student and their parent/carer, where appropriate, will be informed immediately and confirmed in writing with the reason for the suspension and date/time of a subsequent meeting. In some instances, the suspension will be until further notice. In this instance the student will be invited to a meeting within eight working days of the original suspension.

12. This Disciplinary Policy links to the Intervention Strategy

12.1 The Intervention Strategy will be followed for all academic concerns and minor behaviour misdemeanours.

12.2 All staff have a responsibility to address minor indiscipline as and when the situation arises and to inform relevant staff to enable accurate recording.

12.3 Where a serious or larger cross College incident arises, the Duty Manager will investigate. The outcome of the investigation is likely to lead to a Stage Three meeting.

- 12.4** The Head of Student Services, Positive Behaviour Officers or nominated deputy will agree the level at which the student is dealt with according to the seriousness of the situation. This will link directly with the stages referred to in the Intervention Strategy. Parents/carers/guardians for those under 18 years of age at the start of the course will be kept informed at every stage and all actions/targets will be entered on the College tracking system.
- 12.5** In cases where a student has been involved in a serious incident with another student, the Safeguarding Team may be asked to make a judgment as to the risk posed to others by the students being allowed to remain in College.
- 12.6** The Head of Student Services, Positive Behaviour Officers or nominated deputy or Head(s) of Learning may recommend students attend a mediation meeting held by a member of the Safeguarding/Wellbeing Team. The outcome of which will be a recommendation by the Safeguarding/Wellbeing Team as to the risk posed by the students if they remained in College.

Appendix 1

College Intervention Strategy

Prior to any intervention: Subject Teacher and/or Progress Coach will engage with the student in supportive discussions which are recorded on the College tracking system. Accountability starts here. Subject Teacher and/or Progress Coach will ensure:

All necessary information on the College tracking system to be reviewed e.g. unit grades, key assessments, attendance and punctuality, student comments, compliance with College expectations etc

Supportive discussions are held with students. Parents/carers or employers are contacted, and students are closely tracked and monitored by Subject Teacher and/or Progress Coach/Tutor, and/or course leader.

Any student support needs are identified and fully understood e.g. High Needs Funding (HNF), Individual Support Plans (ISP), Looked after Children (LAC), Free School Meals (FSM) etc. and support provided.



Stage One (Teacher/Progress Coach Intervention) - to be led by Subject Teacher (with employer for Apprenticeships)

Check reasons for the issue and check for any barriers students maybe experiencing. Liaise with the Wellbeing Team as appropriate. Support identified and put in place.

Outcome and letters to be recorded/uploaded on the College tracking system within five working days of the meeting.

A review meeting to take place after 14 days if there has been no improvement, outcome to be recorded on the College tracking system within ten working days.

Progress Coach to closely track and monitor student performance, set and review targets. Targets may be extended as appropriate and recorded on the College tracking system.

If there is no improvement or there is a repetition the student is referred to Stage Two of the process.



Stage Two (First Manager Intervention) – chaired by Programme Coordinator

Prior to any meeting the Programme Coordinator checks stage one has been correctly followed with suitable and appropriate targets and time lines set. Checks also to be made with the Wellbeing Team, and further investigations made into the issues as required.

Once agreed, a Stage two is appropriate, a meeting is held and chaired by the Programme Coordinator with student and parents/carers. For Apprenticeships the employer is also invited.

Programme Coordinator to record outcome and targets on the College tracking system within two days of the meeting. Programme Coordinator to pass outcome and targets to the Curriculum Administrator. The Curriculum Administrator to send outcome letter which must include meaningful targets and next steps to parents/carers/guardians and/or employer within five working days of the meeting. Curriculum Administrator to ensure copy of outcome letter is recorded on College tracking system.

Programme Coordinator to identify and ensure support is in place.

Review meeting to take place with student and outcome recorded on the College tracking system within ten working days.

Programme Coordinator to closely track and monitor student performance, set and review targets. Targets may be extended as appropriate and recorded on the College tracking system.

Programme Coordinator to closely track and monitor student performance, set and review targets. Targets may be extended as appropriate and recorded on the College tracking system.

If there is no improvement or there is a repetition the student is referred to Stage Three of the process.



Stage Three (Final Manager Intervention) (For academic concerns) – chaired by Head of Learning
Programme Coordinators will refer students to the Head of Learning for a Stage Three. Prior to any meeting a check is made that both a teacher/progress coach intervention and first manager intervention have correctly taken place and that targets were suitable and reviewed correctly.

Once agreed a Stage Three is appropriate a meeting is held and chaired by a Head of Learning with at least one other College manager, with the student and parents/carers present. For Apprenticeships the employer is also invited.

A meeting is to be booked and minuted by a Curriculum Administrator within seven working days of the referral being made by the Programme Coordinator. Outcome letter and targets to be recorded on the College tracking system within five working days of the meeting.

Where a permanent exclusion is a likely outcome the Head of Learning is to share all evidence prior to the meeting with the Behaviour Management Panel including the Head of Student Services, Positive Behaviour Officers or nominated deputy. The Behaviour Management Panel will meet weekly to review such cases, supporting or declining recommendations for exclusion.

The Head of Learning monitors the agreed targets.

Stage Three Intervention (For serious behavioural incidents) – chaired by the Head of Student Services or Positive Behaviour Officers.

*Assistant Principal/s may chair if necessary.

Appendix 2

ATTENDANCE IMPORVEMENT PROCESS

1. Progress Coach Intervention

- a. Progress Coach to monitor their student's attendance weekly as part of their responsibility and liaise with subject teachers about any known reasons for absence.
- b. Progress Coach to identify students below 90% overall study programme (including tutorials and GCSE English & Maths).
- c. Progress Coach to carry out 1:1 informal meeting with all students in this category, prioritising those with the lowest attendance first, eg. less than 70%.
- d. Progress Coach to set targets and ensure relevant support is in place. Expectation should be a marked improvement in attendance which will be monitored and reviewed weekly.
- e. Outcomes of 1:1 meeting must be recorded on ProMonitor. Progress Coach to refer on any disclosed information (eg. financial difficulty, safeguarding, mental health etc) by the student to the support services. Academic issues should be referred to the relevant subject teacher, Programme Co-ordinator or Head of Learning.
- f. Progress Coach to monitor students' progress and review after two weeks. If satisfactory improvement has been made, students to be congratulated.
- g. If no improvement, without any genuine or known reason, these students should be referred to the relevant area Programme Co-ordinator.

2. Programme Coordinator Intervention

(A-Level students should be shared between relevant Programme Coordinator)

- a. It is the Programme Coordinator's responsibility to ensure that appropriate meetings take place with the student and parents/carers/guardians (if applicable).
- b. Targets and relevant support to be put in place. Students to be informed they are on a two week notice period. This means their attendance, progress and behaviour will be closely monitored by the Programme Coordinator. Programme Coordinator to refer on any disclosed information (eg. financial difficulty, safeguarding, mental health etc) by the student to the support services.
- c. Outcomes of meeting must be recorded on ProMonitor and copied to all relevant staff. Programme Coordinator to ensure that the intervention outcome letter is sent home by their relevant admin support staff.
- d. Programme Coordinator to monitor students' progress and review after two weeks. If satisfactory improvement has been made, students to be congratulated and attendance to be monitored for a further four weeks. If improvement continues, Programme Coordinator intervention will be removed.
- e. If no improvement, without any genuine or known reason, Programme Coordinator to make an informed decision to allow another further two week notice period, or refer on for area Head of Learning intervention.

3. Head of Learning Intervention

- a. Head of Learning to set up meeting with student, parents/carers/guardians Student and parents/carers/guardians must be made aware that this meeting may lead to exclusion.
- b. The outcome of this meeting will result in either:
 - i. Strict targets being put in place and relevant support offered for a further two-week period.
 - ii. Permanent exclusion.
- c. Outcome of meeting must be recorded on ProMonitor and copied to all relevant staff. Area Head of Learning to ensure that the intervention outcome letter is sent home by their relevant admin support staff.
- d. Area Head of Learning to closely monitor students' progress. If targets are adhered to, review after two weeks and refer back to Programme Coordinator for close monitoring.
- e. If targets are not met, Head of Learning will make a final decision to permanently exclude. Heads of Learning should brief their relevant Assistant Principal of their final decision.

Equality and Diversity Impact Assessment

USP College is committed to equality of opportunity. The aim is to create an environment in which people treat each other with mutual respect, regardless of: age, disability, family responsibility, marital status, race, colour, ethnicity, nationality, religion or belief, gender, gender identity, transgender, sexual orientation, trade union activity or unrelated criminal convictions.

This form should be used by managers and policy owners within their area of responsibility to carry out Equality and Diversity Impact Assessments (EDIAs) in relation to protected characteristics including, but not limited to: Age, Disability, Gender reassignment, Marriage and civil partnership, Pregnancy and maternity, Race, Religion and belief, Sex, Sexual orientation. The word 'policy' is taken to include strategies, policies, procedures and guidance notes; both formal and informal, internal and external.

1. Name of Policy

Student Disciplinary Policy

2. Which of the following groups could be affected by this policy?

(Tick all that apply)

Students	√
Staff	√
Wider Community	√

3. Complaints

Have complaints been received from anyone with one or more protected characteristic about the service provided? If yes then please give details.

N/A

4. The Impact

Four possible impacts should be considered as part of the assessment:

- a. **Positive Impact** - Where the policy might have a positive impact on a particular protected characteristic.
- b. **None or Little Impact** – Where you think a policy does not disadvantage any of the protected characteristics
- c. **Some Impact** – Where a policy might disadvantage any of the protected characteristics groups to some extent. This disadvantage may be also differential in the sense that where the negative impact on one particular group of individuals with protected characteristic is likely to be greater than on another.
- d. **Substantial Impact** – Where you think that the policy could have a negative impact on any or all of the protected characteristics. This disadvantage may be also differential in the sense that the negative impact on one particular protected characteristic is likely to be greater than on another.

Thought-provoking questions, which might help come to a decision about the impact of a policy on individuals with protected characteristics:

- e. Does policy outcomes and service take up differ between people with different protected characteristics?
- f. What key information do we have? Does data or engagement with people with protected characteristics give insights into areas of disadvantage, which relate to the policy area?
- g. If the policy is likely to have a negative impact on individuals, sharing particular characteristics what steps can be taken to mitigate these effects?
- h. Will the policy deliver practical benefits for certain groups?
- i. Does the policy miss opportunities to advance equality of opportunity and foster good understanding/relationships between groups?
- j. Do other policies need to change to make this policy more effective?
- k. Is there any elements of the policy that could be unlawful under the Equality Act 2010?

Use the guidance provided above and complete the following table: **(Please Tick ✓)**

Gender/Age	Positive Impact	No or Little Impact	Some Adverse Impact	Substantial Adverse Impact
Gender		✓		
Age		✓		
Disability	Positive Impact	No or Little Impact	Some Adverse Impact	Substantial Adverse Impact
Visually Impaired		✓		
Hearing impaired		✓		
Physical Disability		✓		
Specific Learning Difficulties		✓		
Global Learning Difficulties		✓		
Autistic Spectrum Disorder		✓		
Any other disability – Various		✓		
Other Factors	Positive Impact	No or Little Impact	Some Adverse Impact	Substantial Adverse Impact
Race		✓		
Culture		✓		
Religious Belief		✓		
Sexual Orientation		✓		
Gender Reassignment		✓		
Marriage/Civil Partnership		✓		
Pregnancy /Maternity /Paternity		✓		

Please comment on any areas where some or substantial impact is indicated. Any resulting actions must be added to the below action plan.

5. Is there anything that cannot be changed?

What cannot be changed?	Can this be justified?	If so, how?
Not applicable		
E.g., Disabled people can be treated more favorably under the Disability Discrimination Act 2005. If a policy appears to treat disabled people more favorably than other equality groups, the disadvantage may be justifiable		

Please list the main actions that you plan to take as a result of this assessment in your area of responsibility. (Continue on separate sheets as necessary)

<p>Action Plan: To review student and staff feedback, and to inform future changes to policy.</p>
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