

STUDENT DISCIPLINARY GUIDANCE AND PROCEDURE

1. Guidance for Students

Because a further education environment offers a greater degree of freedom to its students than they enjoy at school, they are expected to conduct themselves in a more adult manner. It is, therefore, their responsibility to behave in a way which brings credit not only to themselves but also to the College. To this end students should follow the College's Code of Conduct (Annex 1).

Students should note that all members of staff have the responsibility to promote good order amongst students and the authority to issue reasonable requests and instructions to students with the expectation of their being carried out. This may include a request to see a student's Identity Card.

Students whose behaviour falls below the standards set by the College community lay themselves open to disciplinary action. In particular, it should be understood that the following are likely to constitute grounds for immediate expulsion: -

- Violent, dangerous or intimidatory conduct including, but not limited to, matters which involve assaults on others.
- Carrying an offensive weapon on or in the vicinity of College premises.
- Violation of the College's rules and procedures concerning health and safety.
- Harassment on grounds of age, sexual orientation, race, ethnicity, religion, nationality or gender of another student, member of staff or visitor to the College.
- Verbal abuse or other bullying behaviour.
- Theft or unauthorised possession of any property belonging to another student, the College, any employee of the College or third parties connected to the College.
- Deliberate damage of College property, including the drawing of graffiti.
- Failure to carry out reasonable instructions of a member of staff, including a request to see ID cards.
- Use of, or dealing in, illegal drugs (including prescription drugs used in an unauthorised manner).
- Intoxication as a result of alcohol or illegal drugs (including prescription drugs used in an unauthorised manner).

- Committing a criminal offence or any offence which may adversely affect the College's reputation.
- Failure to comply with College rules, including the code of conduct, and standards of acceptable behaviour laid down for field trips.
- Failure to comply with the conditions of a warning for a lesser offence (e.g. failure to respond to written instructions to pay fees, attend classes or produce course work and repeated low level disruptive behaviour).

(N.B. This list gives examples of types of behaviour which could lead to expulsion. It is not exhaustive and other examples of bad behaviour may also lead to suspension or expulsion.)

2. Expulsion or Suspension

2.1 Expulsion or Suspension Procedure

A student who is reported as having committed an act listed above as one for which suspension and/or expulsion can be imposed, may be suspended for a matter of days while the report is investigated. The following people are able to suspend a student pending an investigation: Principal, Deputy Principal, Vice-Principal, Director of Student Entitlement and Marketing, Security Manager, Site Manager or the Dean/Assistant Dean of Faculty/Director of Division.

An investigation is usually undertaken by the Faculty or Division of the student who is the 'appellant'. Where students from more than one Faculty or Division are involved in an incident, the Security Manager will undertake the investigation and present their findings to the relevant Faculties or Divisions. Following this investigation, the Principal, Deputy Principal, Vice-Principal, Dean of Faculty or Director of Division may suspend the student for a prescribed period of time or expel him or her if evidence is presented which demonstrates, on the balance of probabilities, that they committed the act of which they are accused. Normally, this process involves an interview with the student, who is asked to state his/her case, and may include consultation with the student's tutor(s) and a parent or guardian. Students aged 18 and over are adults in law and there is no obligation to consult a parent or guardian. In some instances it may not be appropriate to conduct an interview.

2.2 Notification

The student will be informed formally of the decision to suspend or expel by letter from the College. In the case of students aged under 18, a copy will be sent to a parent/guardian.

2.3 Appeal

A student expelled or suspended by the above procedure may appeal to the Principal* or in his absence the Deputy Principal for re-instatement. Such an appeal should be received, in writing, by the Principal within ten working days from the receipt by the student of the written notification of the expulsion. The written appeal should set out the grounds for the appeal to be heard.

Should the decision of the Principal not be acceptable to the student, he or she may have the case referred to the Disciplinary Committee* of the Governing Body. Such an appeal should be received, in writing, by the Clerk to the Governors within ten working days from the receipt by the student of the letter from the Principal upholding the decision to expel. The written appeal to Governors should set out the grounds for the appeal to be heard.

(N.B. Where the initial expulsion/suspension was made by the Principal, any appeal should be addressed to the Deputy Principal.)

**separate procedures in Annexes 4 and 5*

3. Publication

This statement of guidance and procedure is published in the Student Handbook, which is issued to all students at enrolment, and on the College website. It is the responsibility of students to make sure that they read the information and understand it. Further details, including guidance to Deans of Faculty, the Principal and Governors are available on request.

4. Meaning of Expulsion and Suspension

4.1 Expulsion

A student who is expelled will have his or her registration withdrawn from the date of expulsion and will cease to be a member of the College community. The student will not be allowed on College premises thereafter without the express permission of the Principal. The student must return all College property including his or her ID card.

4.2 Suspension

A student who is suspended will not be allowed onto College premises for the period of the suspension without the express permission of the Principal

5. Guidance for Staff

a) General Principles

All members of staff have the responsibility to promote good order amongst students and the authority to issue reasonable requests and instructions to students regarding both academic work and behaviour. In appropriate circumstances a written instruction may be issued to the student. Staff have the right to expect all such requests and instructions to be carried out.

b) Serious or Repeated Offences

In cases of serious misconduct (see examples in section 1 above) the College may consider expulsion or suspension of a student.

In such cases the student would be referred to a Dean of Faculty/Assistant Dean of Faculty/Director of Division, Security Manager, Site Manager or Member of the Senior Management Team. In such cases the following procedure would be typical (although circumstances might dictate otherwise): -

1. The student would be asked for his/her Identity Card to identify the student, Faculty/Division and tutor
2. The student would be taken to the Faculty/Division/Security office. Should the student refuse to go he/she would be told that refusal may lead to expulsion.
3. The Dean/Director or Site/Security Manager would be given the Identity Card and details of the incident, to be completed in writing at a later time if necessary.
4. The Dean/Director or Site/Security Manager would normally:
 - i. obtain a written statement from the student.
 - ii. suspend the student for a specified number of days while the matter is fully investigated.
 - iii. Obtain verbal and written statements from any known witnesses (staff or students) if possible.
 - iv. consult with the student's tutor and obtain a report on his or her academic progress.
 - v. interview the student as soon as possible to clarify his/her statement (if under 18 with the parent/guardian).
 - iv. make a written statement to the student of the action decided upon, the reasons for that decision, and any right of appeal;

- vi. write a report and send copies to the SMT, tutor(s), the Student Entitlement Coordinator and the Security Manager; and
- vii. activate administrative leaving procedure in the case of expulsion.

6. Refunds

In the event of a fee paying student being expelled the decision regarding refund (part) of fees will be made by the Principal or Deputy Principal dependant on time of academic year and reason for expulsion, taking into account any administrative costs incurred.