



**Richmond upon
Thames College**

Policy Name: Student Disciplinary Procedure

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Policy Responsibility: Director of Student Experience

Approved By: College Leadership Team

For Action By: All College staff and students

For Information to: All College staff, students and parents/carers
and employers

Version Control: 3

1.1 Richmond upon Thames College is dedicated to promoting our values of honesty, integrity, mutual respect and personal accountability to support our students in becoming fully rounded members of society with a strong sense of social and moral responsibility. We prepare our students for life in Modern Britain by developing an understanding of democracy, the rule of law, individual liberty, mutual respect and tolerance of those with different faiths and beliefs and this is reflected in our policies.

1.2 We are committed to providing a caring, friendly and safe environment for all our students and staff so learning can take place in a relaxed and secure atmosphere. For us to achieve this it is necessary to have this procedure in place for taking appropriate action whenever a student's conduct falls below that expected by the College.

2.0 Scope & Purpose

2.1 The purpose of this procedure is to assist staff to clearly understand the options open to them when it is necessary to challenge poor or unacceptable behaviour that has fallen below the expected standards outlined in the RuTC Partnership Agreement or other College policies. It provides guidance on how to manage behaviour that does not improve through informal interventions and will enable a consistent approach to be adopted throughout the College.

2.2 This procedure is to be followed for all types of poor or unacceptable behaviour including:

- Poor Attendance
- Poor Behaviour
- Breaching or failing to comply with College rules or policies
- Academic Misconduct, for example malpractice or breaching Awarding organisations policies/procedures
- Poor commitment to the course of study on which they are enrolled for example non submission or lateness of work

Different types of poor behaviour are not to be dealt with in isolation. The procedure provides a formal process to ensure a holistic and consistent approach to addressing all behaviour that falls below expected standards.

2.3 All staff have a responsibility to challenge poor or unacceptable behaviour and this can be achieved through general behaviour management techniques, such as conversations with the student, informal verbal warnings, target setting etc.

2.4 Teaching staff are expected to manage the behaviour of students in the classroom using classroom management techniques.

2.5 This procedure is for all students/apprentices who are enrolled on a course of study at the College, regardless of where or when the poor or unacceptable behaviour takes place. For the avoidance of doubt, **the College may take action under the procedure where the alleged behaviour takes place away from the College premises.**

2.6 Students with declared additional learning needs (e.g. a disability or health condition) may require additional consideration on a case by case basis. All staff must take account of the additional support needs of students when following all aspects of this procedure.

2.6 Poor or unacceptable behaviour may be dealt with under any stage of the procedure without having to go through earlier stages. All proceedings and outcomes under the procedure are confidential.

2.7 Any written notification by the College to a student will be sent to the contact address confirmed to the College by the student at enrolment, or to any new contact address subsequently confirmed by the student or parent/carer in writing to the College.

3.0 Formal Staged Approach for Addressing Poor or Unacceptable Behaviour

3.1 When formal measures are necessary the College will adopt a staged disciplinary process to address poor or unacceptable behaviour. The stages are as follows:

Informal: General behaviour management techniques

Formal: Stage One Disciplinary Procedures: Formal Verbal Warning

Stage Two Disciplinary Procedures: Written Warning

Stage Three Disciplinary Procedures: Final Warning

College Disciplinary Panel

3.1.1 Stage One Discipline

Formal Verbal Warning

- Can be issued by any member of and if practicable in a 1–1 setting.
- For instances of non-attendance of a student, then a Formal Verbal Warning can be given in their absence
- A record of the Formal Verbal Warning ('Stage One') must be created in the Communications & Comments on ProMonitor.
- The "Visible In ProPortal" box must be checked so comment is visible to student, parents/carers, and/or phone parents/carers.
- A SMART Target(s) is to be set as appropriate and logged on the Student's ILP on ProMonitor.
- The member of staff issuing the 'Stage One' must inform the Students/Apprentices Tutor who will update the student's Risk Indicator. This will appear as a '1'.
- The SMART Target(s) must be monitored and reviewed by the Students' Tutor.
- Failure to meet SMART Target(s) may result in proceeding to Stage Two Disciplinary Procedures.
- Member of staff refers the student to Curriculum Manager or Community Liaison Officer as appropriate for commencement of Stage Two Disciplinary Procedures.
- In some circumstances, depending on the nature and satisfactory completion of the SMART target(s) set, it may be appropriate for 'Stage One' to be revoked. The Tutor must be informed in order for the Risk Indicator to be amended.
- Automatic Formal Verbal Warnings will be given to Students with poor attendance.

3.1.2 Stage Two Discipline

Written Warning

- Can be issued by Curriculum Managers, Student Services Manager, ALS Manager, Community Liaison Officer or Duty Officer as appropriate with the support of Teaching Staff or the Welfare & Engagement Advisors in a 1-1 setting if practicable. In the case of non-attendance or poor attendance by a Student/ apprentice this may not be possible.
- Parents/carers can be invited to be present. If not, must be informed by phone.
- A record of the Written Warning ('Stage Two') must be created in the Communications & Comments on ProMonitor.
- The "Visible In ProPortal" box must be checked so comment is visible to student, parents/carers.
- A standard 'Stage Two' confirmation letter/email must be sent to parents/carers and a copy uploaded on ProMonitor in the 'Uploaded Documents' section.

- A SMART Target(s) is to be set as appropriate and logged on the Student's ILP on ProMonitor.
- The member of staff issuing the 'Stage Two' must inform the Tutor who will update the student's Risk Indicator, this will appear as a '2'.
- The SMART Target(s) must be monitored and reviewed in a 1-1 setting by the person who issued the 'Stage Two' (i.e. Curriculum Managers, Student Services Manager, ALS Manager, Community Liaison Officer or Duty Officer).
- This stage can include other sanctions such as exclusion from certain College activities, facilities or areas.
- Failure to meet SMART Target(s) may result in proceeding to Stage Three Disciplinary Procedures.
- Member of staff refers the student to Curriculum Directors, Student Services Manager, ALS Manager, Community Liaison Officer as appropriate for commencement of Stage Three Disciplinary Procedures.
- In some circumstances, depending on the nature and satisfactory completion of the SMART target(s) set, it may be appropriate 'Stage Two' to be revoked. The Tutor must be informed in order for the Risk Indicator to be amended.

3.1.3 Stage Three Discipline

Final Warning

- Can be issued by Curriculum Directors, Student Services Manager, ALS Manager, Community Liaison Officer as appropriate with the support of Tutors, Curriculum Managers or Student Engagement Team Leader where appropriate or required.
- Parents/carers must be invited to attend. If not able to attend they must be informed by phone.
- A record of the Final Warning ('Stage Three') must be created in the Communications & Comments on ProMonitor.
- The "Visible In ProPortal" box must be checked so comment is visible to student, parents/carers.
- A standard 'Stage Three' confirmation letter/email will be sent to parents/carers and a copy uploaded on ProMonitor.
- A SMART Target(s) is to be set as appropriate and logged on the Student's ILP on ProMonitor.
- The member of staff issuing the 'Stage Three' must inform the Tutor who will update the student's Risk Indicator, this will appear as a '3'.
- The SMART Target(s) must be monitored and reviewed in a 1-1 setting by the person who issued the 'Stage Three' (i.e. Curriculum Directors, Student Services Manager, ALS Manager, Community Liaison Officer).
- This stage can include other sanctions such as exclusion from certain College activities, facilities or areas.
- Failure to meet SMART Target(s) may result in proceeding to College Disciplinary Panel.
- In some circumstances, depending on the nature and satisfactory completion of the SMART target(s) set, it may be appropriate for the 'Stage Three' to be revoked. The Tutor must be informed in order for the Risk Indicator to be amended.

3.1.4 College Disciplinary Panel

The membership of a College Disciplinary Panel is at least two representatives from the following:

Director of Student Experience, Student Services Manager, ALS Manager, Curriculum Directors, Community Liaison Officer, Student Engagement Team Leader or Curriculum Managers depending on the referral or nature of the situation.

All Panel Members must be independent from involvement in the preceding Stage Three Discipline process. See Appendix 1.

4.0 Explanation of Terms and Sanctions

4.1 The staged approach to dealing with cases of poor or unacceptable behaviour provides a number of options for staff to address the behaviour if informal methods (where appropriate) have been exhausted, these options are explained below. In all cases, an assessment of the circumstances will be carried out to determine the most appropriate course of action.

4.2 Exclusion: with immediate effect

This means the student is withdrawn from the college with immediate effect.

In some cases, students may be allowed to sit external examinations despite their exclusion from College, in which case they will only be allowed on College premises at set times for this reason and will be escorted to and from the exam hall.

4.3 Conditional Exclusion

This means the student is not immediately excluded but may face immediate exclusion in the event of any further poor or unacceptable behaviour, or failure to meet any conditions set by a College Panel.

4.4 Suspension

Some staff have the authority to suspend a student from College premises, such as any member of the College Management Team, Duty Officers and anyone else specifically authorised to do so by the College Leadership Team.

4.4.1 Students may be suspended whilst an investigation is carried out into an incident.

Such a precautionary suspension is not an assumption of culpability but allows for the gathering of information regarding the incident.

4.4.2 The suspension of a student may happen for a range of other reasons.

For example

- If it is in the best interests of the student
- If there is a risk of harm or damage to members of the College community and/or property or premises
- If a student is awaiting the outcome of any police enquiries and/or criminal proceedings
- If there is a Safeguarding concern

4.4.3 The duration of the suspension is the decision of the member of staff issuing the suspension (see section 4.4 above).

4.4.4 A suspension will normally be for no more than seven days in the first instance but a period of suspension may be extended subsequently if authorised by the Director of Student Experience. This may be for any further period or periods of time as determined to be reasonable in the

circumstances. Any extended period(s) of suspension will be subject to monitoring in order to assess whether the student's continued suspension is reasonable.

4.4.5 Parents/carers/employer are to be notified by phone of the suspension or continued suspension, together with details of the reasons for the suspension or continued suspension, and written confirmation will be sent by the College to the student and parent/carer normally within 24 hours of the decision to suspend or to extend a suspension. (Parents/carers of students under 18yrs must be informed as this could present a Safeguarding issue).

4.4.6 The College may in its discretion exceptionally allow a student limited permission to enter College during a period of suspension (e.g. to sit external examinations or to complete or collect coursework). Such permission will be authorised by the Community Liaison Officer in advance of attendance by the student and the student's attendance will be subject to supervision by a nominated member of College staff.

4.5 Exclusion from College Activities, Facilities or Areas

Students may be excluded from participating in a planned activity or excluded for a set period of time from using certain facilities (e.g. Library or Careers) or from accessing certain areas (e.g. The Quad).

4.6 College Community Service

It may be appropriate to require a student to perform a form of community service, such as assisting staff in the Learning Resource Centre; picking up litter.

5.0 Potential Criminal Offences / Police Involvement

5.1 Where a member of staff suspects that a student may have committed a criminal offence, the College may refer the matter to the police. Notwithstanding such referral, the College may continue disciplinary proceedings under this procedure and/or suspend the student pending the outcome of any police enquiries and/or criminal proceedings which may be brought against the student.

5.2 Where the College refrains from taking action under this procedure whilst any police enquiries and/or criminal proceedings are underway, it reserves the right to subsequently at any time commence or recommence proceedings under this procedure.

5.3 It is emphasised that in relation to the application of this procedure, the College is not bound by the results of any criminal proceedings against a student, nor is it bound to await the outcome of any criminal trial.

6.0 Parents and Carers

6.1 The College will inform the student's parents/carers of:

- a) Actions taken under this Disciplinary Process and the reasons for them
- b) Suspensions (see section 4.4.5 above)
- b) The College's intention to hold a Final Warning Meeting
- c) The outcome of any College Disciplinary Panel or Appeal Panels
- c) Any decisions made relating to misconduct and the reasons for them and
- d) Any Review decisions (and the reasons for them)

Unless the student has previously indicated to the College in writing that they do not wish for their parents/carers to be contacted, and this has been authorised by the Student Services Manager.

The College may also notify the parents/carers of students of any informal warnings and any other formal action taken.

Appendices

1. College Disciplinary Panels
2. Guidelines for Conduct of Disciplinary Panel
3. Reviews of College Panel Decisions
4. Staged Disciplinary Process Flowchart

Appendix 1

College Disciplinary Panels

A College Panel considers, assesses and reviews a student's suitability to remain a member of the College community. The Panel takes in to consideration a student's College record which includes attendance data, commitment to the chosen course, and behaviour.

A student may be referred to a College panel for the following reasons:

1. Failure to meet 'Stage Three' targets.
2. Further poor or unacceptable behaviour where 'Stage Three' targets have already been set.
3. Poor or unacceptable behaviour of significant severity, therefore warranting referral directly to a College panel.

If the student is referred to Panel in relation to points 1 and/or 2 above, there may be no requirement for the student and/or parents/carers to attend; this is referred to as an **Administrative Disciplinary Panel**. Five days' written notice will be provided in order to give the opportunity for further information to be submitted for consideration.

If the student is referred to Panel in relation to point 3 above, the student and /or parents/carers will be invited to attend; this is referred to as a **Disciplinary Panel**. Five days' written notice will be provided in order to give the opportunity for attendance.

The written notice will include the following:

- a) The nature of the poor or unacceptable behaviour and a summary of the evidence in support of the disciplinary case against the student
- b) The student's entitlement to representation at the Disciplinary Panel, if applicable
- c) For an Administrative Panel, the deadline for submission of further information
- d) For a Disciplinary Panel, confirmation of the date, time and place of the Panel

If the student wishes to do so, s/he may submit a written response to the College, which should be received at least two working days in advance of the date of the Disciplinary Panel.

The College and the student must notify each other in writing of the names of any witnesses they wish to attend the Disciplinary Panel and exchange copies of those witnesses' written statements at least two working days in advance of the date of the Disciplinary Panel. In exceptional circumstances, and at the College's discretion, a witness may be permitted to retain their anonymity.

At an Administrative Panel, the relevant information will be presented by a College representative to the members of the Panel (see 3.1.4), who will consider, assess and review in order to determine the appropriate outcome.

At a Disciplinary Panel the student will be entitled to be represented/accompanied by a friend, student representative, relative or member of staff who is aged above 18, in addition to being accompanied by his or her parents/carers.

Parents/carers of students will be invited to attend the Disciplinary Panel unless the student has previously indicated to the College in writing that s/he does not wish for his/her parents/carers to be contacted, and this has been authorised by the Student Services Manager.

A note-taker may be present at the Disciplinary Panel. Other staff members may also be in attendance where appropriate (e.g. the Student's Tutor, the Duty Officer or member of the Additional Learning Support staff in order to provide support for the student).

If the student fails to attend the Disciplinary Panel without good reason, the matter will (at the discretion of the Chair) proceed in the student's absence.

The Chair of the Disciplinary Panel may exclude from the proceedings any person (including the student or the student's friend, representative or relative) who behaves unreasonably or who disregards the instructions of the Chair with regard to the Panel.

The Chair of either the Disciplinary or Administrative Panel will write to the student notifying of the outcome and actions to be taken, and of any opportunity to request a Review/Appeal. Reasons will be given for the Panel's decision.

Appendix 2

Guidelines for Conduct of College Disciplinary Panel

The Chair of the Panel will introduce those present and explain the procedure for the Disciplinary Panel, including the range of sanctions available.

The College representative will present the College's case setting out the allegations against the student and the evidence in support of the allegations. The College representative may call witnesses. The student may question any witnesses called by the College representative.

The student will then have the opportunity to respond to the College's case, including calling witnesses. The College representative may question any witnesses called by the student.

Witnesses will be present only for their submissions and will be instructed by the Chair not to discuss their evidence with other witnesses.

The Disciplinary Panel may ask questions of the College representative and the student and also of any witnesses.

During the Disciplinary Panel, both the student and the College representative may request the Chair for a short adjournment. Such requests will not be unreasonably refused.

The Disciplinary Panel will come to a decision in private. No other individuals will be present during nor participate in a Panel's deliberations.

The Chair of the Panel will arrange for the decision to be recorded in writing to the student and parent/carer.

Appendix 3

Reviews of College Panel Decisions

A student may request a Review of a Panel Decision ('Appeal') on one or more of the following grounds, that:

- a) New material evidence has come to light which was not reasonably available at the time of the College Panel
- b) The decision, including any sanction imposed, was manifestly unreasonable and/or disproportionate
- c) The Student Disciplinary Procedure has not been followed.

A student who wishes to request an Appeal must do so in writing within 7 days of the date of the College's written notification informing the student of the Panel outcome, clearly stating the grounds upon which the Appeal is requested. The student's request must be addressed to the Principal who will arrange for a review to be undertaken by a member of the College Leadership Team. The student will be informed in writing normally within a further 10 days of the outcome of the review.

The College Leadership Team may reach one or more of the following decisions, to:

- Overturn the original decision including the imposition of any sanction
- Uphold the original decision including the imposition of any sanction
- Uphold the original decision but substitute a different (including a lesser or greater) sanction
- Refer the matter back to the original decision-maker(s) for reconsideration or to a new Panel for fresh consideration.

The decision of the College Leadership Team is final.

Staged Disciplinary Process 2018-19

