



**TyneCoastCollege**

# **Student Disciplinary and Positive Behaviour Policy and Procedures**

This policy is available on-line at: [www.tynecoast.ac.uk](http://www.tynecoast.ac.uk)

- We will consider any request for this policy to be made available in an alternative format or language. Please note that the College may charge for this. Please contact: Head of Marketing.
- We review our policies regularly to update them and to ensure that they are accessible and fair to all. We welcome suggestions for improving the accessibility or fairness of this policy.

<b>Approved by:</b>	<b>Version:</b>	<b>Issue Date:</b>	<b>Review Date:</b>	<b>Contact Person:</b>
<b>Executive Group</b>	<b>V.15.3</b>	<b>Oct 2023</b>	<b>Oct 2026</b>	David Gardner AP

Review: 3 years

**POLICY NUMBER 62**

## **Scope**

This Policy and Procedures applies to all students of the College (full time, part time, apprentices or higher education) wherever they are as part of their course (college, associated premises including HE accommodation, work placement, residential, educational visit etc.

This document also sets out the procedures (Academic Matters and Misconduct) to be followed where the Code of Conduct is breached by a student.

The Code of Conduct reflects the College's values; particularly those of respect, fairness and equality.

Breaches of the Code of Conduct may lead to disciplinary action being taken against the student. Repeated breaches or a single gross breach may result in the student being suspended for a period of time or excluded from the College.

## **The Code of Conduct**

The Code of Conduct works within the requirement of the Disability Discrimination Act, Part IV. Where students have a disability, including mental health issues or behavioural difficulties, reasonable adjustments will be made to ensure they are not discriminated against. Assessment will be made of the extent and reasonableness of the adjustments in any relevant disciplinary case.

The following legislation is applicable to this Policy:

- Disability Discrimination Act 2005
- Data Protection Act 1998
- Human Rights Act 1998
- Special Educational Needs and Disability Discrimination Act 2001
- Equality Act 2010

# Student Disciplinary and Positive Behaviour Procedures

## Introduction

Tyne Coast College encourages all students to achieve and maintain appropriate standards of conduct. The purpose of this Policy and associated procedure is to motivate students to behave appropriately and protect students' learning opportunities from disruption caused by others or their own misconduct. The College aims to be a supportive learning environment for all students and one which is safe and free from bullying, harassment or offensive behaviour. This procedure is designed to ensure that all students receive every possible assistance and support in order to continue and achieve their course.

Students are advised of what is expected of them through student handbooks Code of Conduct and should seek help from their subject tutor if they are in any doubt about its application.

**Parent(s)/Carer(s)/Employers** – if students are under 18 or under 25 if they have an Educational Health Care Plan (EHCP), parents, carers, guardians and/or employers will be informed if this procedure reaches stage 2 or beyond and will be invited to accompany the student to meetings from stage 3.

**Student disciplinary for partners:** Partners will follow their own disciplinary policy and are checked during due diligence. If partners don't have their own, the learner will follow this disciplinary policy.

Students have the right to appeal against a decision at Stage 4 of this Disciplinary Procedure in accordance with the overview procedure.

All stages MUST be logged onto Promonitor by the designated lead at each point using the disciplinary tab in the learner meetings section on Promonitor or logged on Aptem for Apprentices.

## **Stage 1: Verbal Warning**

- This stage is used to informally address academic or behavioural issues which are giving Cause for Concern.
- There is no set time for instigation of disciplinary action, but a professional judgement will be made according to reasonable opportunities the student has been given to improve.
- This stage is dealt with by the student's subject tutor.

- Staff addressing the concern reports the incident to the subject tutor by adding information on ProMonitor (please see procedures overview on the final page).
- The personal tutor will review notes made by lecturers on ProMonitor to gain an overall assessment of the Cause for Concern.
- This information will also support repeat offences in order to establish additional stages.
- An informal meeting will be held with the student to discuss the incident/s and improvements and targets will be agreed, to be monitored by curriculum staff.
- The College may issue a verbal warning without an investigation taking place.
- A verbal warning can be requested by any member of staff BUT the decision must be overseen by the subject tutor for clarity.

**Where a verbal warning is issued, the student will be informed of the following:**

- The reason for the warning.
- That it is the first stage of the College's Student Discipline (Positive Behaviour) procedure.
- The action or improvement which is required.
- If appropriate, the timescale for implementing any such action.

### **Stage 2: Written Warning**

The subject tutor, who may have to liaise with other lecturers, will formally meet with the student to discuss the concern and reach the appropriate outcome:

1. Recommendation that a Learning Contract is created for a fixed period and states the required improvement/s, timescales and monitoring activity. This will be agreed and confirmed in the meeting.
2. Recommendation for re-submission of work or re-assessment under controlled conditions (the logistics will be discussed in the meeting).
3. Recommendation that the student does not continue with the course.

The written warning may be requested by any member of staff but MUST be overseen by the subject tutor who will issue a written warning via liaising with the school admin if:

- The required improvement is not achieved within the timescale set.

- Further misconduct takes place during the period of a verbal warning; this may involve a repetition of conduct which was the subject of a previous warning
- The seriousness of the misconduct merits the warning regardless of whether it has issued any previous warnings.

All such matters will be confirmed to the student/parent/carer/employer in writing to include:

- The reason for the warning.
- If appropriate, the timescale for implementing any such action.
- The consequences for the student of not implementing required action or of further misconduct.

### **Stage 3: Formal Parental/Employer Meeting with Deputy Heads/QC**

Overseen by QC/Deputy. QC/Deputy will lead the meeting and be accompanied by the subject tutor and any other member of staff that needs to be present.

The QC/Deputy will contact learner, parents/carers and/or employers where necessary via phone call as well.

At this stage QCs/deputies engage with parents and employers as the previous stages have not provided the agreed outcome or has warrant an immediate stage 3 meeting due to concerns provided in the misconduct section below.

The formal parental and employer meeting is put in place with managers to seek further support from all parties to priorities actions to be taken so that the final disciplinary panel and/or suspension does not occur. If the parent/employer does not decide to attend the meeting, it will still need to be recorded and completed. During this meeting, an action plan or new action plan in some cases will be set with clear expectations and deadlines.

### **Stage 4: Disciplinary Panel and Suspension**

The College may suspend a student where:

- The required improvement is not achieved within the timescale stated in a written warning.
- Further misconduct takes place during the period of a written warning, whether or not involving a repetition of conduct which was the subject of a previous warning.
- It is reasonably believed that they have committed an act which warrants suspension.

- This stage is dealt with by the students Head of Department. Managers have the authority to suspend a student following full consideration of evidence presented.
- The HOD will call the Formal Disciplinary Hearing, write to the student/parents/carers/employers and appoint an investigating officer.
- The learner may be accompanied by parent(s), carer(s), employer, student representative or legal/professional advisor.
- If a student is to be accompanied by a legal/professional advisor they MUST give the College two working days' notice.
- The College retains the right to also have a legal professional advisor in these circumstances.
- The panel will consist of a manager from student services (who will lead the meeting) and two HODs. The investigating officer will also be in attendance to provide the factual evidence but not to provide an opinion.
- The Hearing may take place in the student's absence if they fail or decline to attend without good reason.
- The Hearing can have one of four outcomes:
  1. No case to answer and continue the course with no conditions.
  2. To continue the course for a trial period, monitored and reviewed by the HOD.
  3. To transfer to an alternative course with or without a trial period, with the addition of a verbal or written warning where the panel believe the act committed warrants this.
  4. Exclusion from the course for the remainder of the academic year. The return of a learner onto their course, or future course, will be assessed on an individual basis following exclusion.

Timing: The meeting will take place within 10 working days from being suspended unless serious evidence which has been presented will delay matters (e.g., police involvement). If this is the case, the learner will still be informed of the time and date the meeting takes place (this does not include weekends and college holiday times).

The outcome of the Hearing will be communicated in writing to the student, their parent(s), carer(s) and employers (if the student is under 18 or under 25 if they have an EHCP). The student will be advised of their right to appeal against any decision.

## **Appeals**

- There is the right of appeal against stage 4.
- There shall be no right of appeal other stages although the College Complaints Procedure applies if students feel they have been wrongly treated.
- Any student who wishes to appeal should do so in writing, setting out the reasons for the appeal. This should be submitted within 5 working days of the panel letter and addressed to the principal.

## **Related Policies and Procedures**

- Safeguarding Policy
- Student Attendance Policy
- Equality and Diversity Strategy
- Admissions Policy
- Anti-bullying Policy
- Health and Safety Policy
- Complaints Policy

## **Appendices**

- Appendix A - Logging disciplinaries on Pro Monitor

## Types of Misconduct and Suggested Actions

### Minor Breach = Stage 1 Verbal Warning

#### Behavioural:

- Punctuality;
- Attendance at College or work placement;
- Lack of application to studies;
- Failure to adhere to homework/assignment/coursework schedules;
- Smoking outside of the designated smoking areas;
- Misuse of College bus passes.
- Disruptive behaviour inside or outside of the class.
- Offensive language or behaviour.
- Unruly behaviour inside or outside of the class.
- Unduly noisy outside of class.
- Failure to comply with a reasonable instruction from a member of staff.
- Refusal to produce College ID or identify oneself when asked by a member of staff.
- Lanyards expectations.

#### Academic:

- Plagiarism.
- Cheating in exams or formal assessments.
- Failure to complete assignments.
- C4C that has not been resolved through informal pre-stage 1.

Breaches of the Code of Conduct may be Minor, Serious or Gross. *The list is not exhaustive and **professional judgement will need to be made concerning action taken appropriate to the circumstances.***

### Serious Breach = Stage 2 and 3 Written Warning and Learner contract

- Smoking within College premises/vehicles.
- Causes for Concern in stage 1 that have escalated further or have been repeated one or more times.
- Failure to attend college attendance expectation and drops below 85% (this is done on an individual basis).
- Taunting, verbal abuse, defamation of character in contravention to the College Anti-Bullying Policy.
- Acting in an unsafe manner.
- Failure to comply with the College's Health & Safety Policy.



- Disruption to the work or recreation of others within the College environment.
- Malicious activation of the fire alarm system.
- Fraudulent claim for funding.
- Re-occurrence of a minor breach previously dealt with by issuing a Record of Verbal warning.
- Suspicions of being under the influence of drugs or alcohol on college premises.
- Any misconduct which misuses cameras, mobile phone cameras or videos where consent to take pictures has not been obtained.

### **Gross Breach = Stage 4 Suspension**

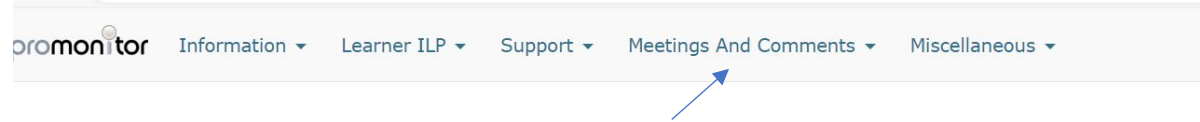
- Theft of personal or College property.
- Failure to meet the demands of the Learner Contract.
- Non-attendance.
- Arson.
- Violence or threats of violence.
- Incapability through alcohol, drugs or other substances (or suspicion of).
- Deliberate damage to College property.
- Accessing, downloading or sending pornographic/offensive materials via internet or mobile technology.
- Possession of a knife or other weapon, which is not justified in its use as part of the student's work or religious beliefs.
- Possession or supplying of non-prescribed drugs (including alcohol if under 18), association with dealing or handling non-prescribed drugs in College or associated premises e.g. Accommodation, work placements, Educational visits etc.
- Criminal activities affecting the College, its students, staff or visitors.
- Interference with hardware, software or data belonging to or used by the College.
- Re-occurrence of a serious breach previously dealt with by issuing a Notice of Formal Written Warning.
- Occurrences of harassment/bullying/intimidation substantiated under the College's Anti-bullying Policy, including cyber bullying.
- Occurrence of Verbal/Physical/Online Sexual abuse or Sexual Harassment.
- Likely to cause danger to self or others on College premises or on any external trip/activity.

Stage	Action	Overseen By	Appeal	Promonitor Responsibilities
Stage 1	Verbal Cause of Concern. Requested by any member of staff and will complete a summary in the learner comments section on the learners ILP and add the subject tutor. The subject tutor will then record the stage 1 on Promonitor (see appendix A for instructions of use) and take appropriate action (logged on Aptem for Apprentices).	Subject Tutor	No	The member/s of staff providing the concern is to add notes in the learner comments and add the personal tutor. Personal tutor is to log the stage in the learner meetings section.
Stage 2	Formal meeting between subject tutor and learner. A Written warning is to be sent out to the learner and parents where necessary. Subject tutor will then record the stage 2 on Promonitor (see appendix A for instructions of use) The subject tutor to inform admin to send (logged on Aptem for Apprentices).	Subject Tutor	No	The member/s of staff providing the concern is to add notes in the learner comments and add the personal tutor. Personal tutor is to log the stage in the learner meetings section.
Stage 3	Investigated by QC. Learner, parents and employers to be invited into the building to discuss the matter further and set a clear action plan with deadlines. This meeting will take place with QC and subject tutor (logged on Aptem for Apprentices). Subject tutor will then record the stage 3 on Promonitor (see appendix A for instructions of use)	QC/Deputy Head Subject Tutor	No	Stage 3 to be recorded by QC in the learner meetings section. Any additional information observed by staff needs to be recorded on the learner comments tab.
Stage 4	<ul style="list-style-type: none"> <li>Only managers have the authority to suspend a learner.</li> <li>Investigating officer (selected by HoD of relevant dept),</li> <li>Prior to suspension, a safeguarding lead must be advised.</li> <li>HoD of dept to arrange school admin to send suspension letter</li> <li>Once Investigation complete HoD arranges letter to Parents and learner to arrange attendance of meeting.</li> <li>The Panel: Two HoDs and a manager from student services.</li> <li>HOD will then record the stage 4 on Promonitor (see appendix A for instructions of use)</li> <li>The HOD will lead/Chair the meeting. (logged on Aptem for Apprentices).</li> <li>In the event of exclusion as an outcome of the investigation, the assistant principal or Vice Principal must authorise.</li> </ul>	HOD Subject tutor	Yes. This is to be in writing to the principal within 5 days of the suspension letter.	HoD to complete stage 4 on Promonitor. Any additional information observed by staff needs to be recorded on learner comments tab. (see appendix A for instructions of use)

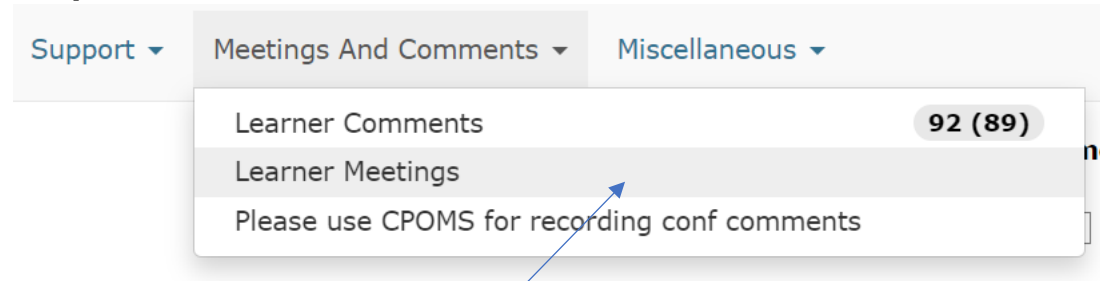
### Overview of Procedures

## Appendix A - Logging disciplinaries on Pro Monitor

### Step 1



### Step 2



### Step 3

Category:  Type:

Complete:

Hide Cancelled Meetings:  Hide pinned meetings:

Show meetings from other Academic Years:

#### Manage All Meetings

Key: Pinned Complete

Meeting Date	Pinned	Time	Type	Reviewed By	Status	Completion Date	
11 Dec 2023			New Progress Review Meeting	David Cook		11 Dec 2023	<input type="button" value="Edit"/>
13 Oct 2023			New Progress Review Meeting	Paul Wastell			<input type="button" value="Edit"/>

### Step 4

Add

Complete  Pin Meeting:

Meeting Date:  Duration (mins):

Time:

Location:

Meeting Category:

Meeting Type:

Reason for Meeting:

Include in Non-Timetabled EEP Hours:

- ALS
- Disciplinary
- Careers
- IAG Meeting
- Other
- Personal Development
- Progress Review
- Marine Officer Trainee
- Marine Deck Regular Meetings
- Marine Engineering Regular Meetings

## Step 5

Add ✕

Complete  Pin Meeting:

Meeting Date:  Duration (mins):

Time:

Location:

Meeting Category:

Meeting Type:

Reason for Meeting:

Include in Non-Timetabled EEP Hours

## Step 6

Add ✕

Complete  Pin Meeting:

Meeting Date:  Duration (mins):

Time:

Location:

Meeting Category:

Meeting Type:

Reason for Meeting:

Include in Non-Timetabled EEP Hours