



TyneCoastCollege

South Tyneside and Tyne Metropolitan College Student Disciplinary and Positive Behaviour Policy and Procedures

for young people, adults and apprenticeships (non Marine)

This policy is available on-line at: www.tynecoast.ac.uk

- We will consider any request for this policy to be made available in an alternative format or language. Please contact: Director of Student Services, Inclusion and Safeguarding
- 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.

Approved by:	Version:	Issue Date:	Review Date:	Contact Person:
Executive Group	V.17	July 2025	July 2028	David Gardner AP

Review: 3 years

POLICY NUMBER 62

Scope

This Policy and Procedures applies to all learners on a programme of study (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, equality and inclusion.

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 Equality Act 2010. 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:

- Data Protection Act 2018
- Human Rights Act 1998
- Special Educational Needs and Disability Discrimination Act 2001
- The Equality Act 2010

Contents

Introduction	2
____ Stage 1: Verbal Warning.....	4
____ Stage 2: Written Warning	5
____ Stage 3: Formal Parental/Employer Meeting with Deputy Heads/QC	6
____ Stage 4: Disciplinary Panel and Suspension	7
Appeals.....	9
Related Policies and Procedures.....	10
Appendix A -.....	11
____ Types of Misconduct and Suggested Actions	11
____ Minor Breach = Stage 1 Verbal Warning.....	11
____ Serious Breach = Stage 2 and 3 Written Warning and Learner contract	11
____ Gross Breach = Stage 4 Suspension.....	12
Appendix B - Overview of Procedures.....	13
Appendix C - Logging disciplinaries on Pro Monitor	14
Appendix D – Microsoft Teams.....	17

Introduction

Tyne Coast College encourages all students to achieve and maintain appropriate standards of conduct. The purpose of this Policy and associated procedures 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 and offensive behaviour. This procedure is designed to ensure that all students receive every possible assistance and support to continue and achieve their course.

Students are advised of what is expected of them through the Code of Conduct, found in the Student Handbooks' and should seek help from their personal tutor if they are in any doubt about its application.

Prior to disciplinary please consider if **The Fitness to Study Policy** may be a suitable alternative, this can be used for instances where the health and/or wellbeing of a student deteriorates to a point where it raises questions about their fitness and suitability to continue with their studies. For further advice please contact the relevant SEND advisor/ Wellbeing advisor.

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: Subcontractors/Partners will follow their own disciplinary policy and are checked during due diligence. If partners do not have their own disciplinary policy, 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. Academic concerns can be found through the plagiarism policy.

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 can be dealt with by any staff member or tutor being support or academic.

Staff addressing the concern must record the incident on Promonitor and tag the personal tutor.

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.

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

- The reason for the warning.
- Provided the understanding that this is the first stage of the Student Discipline procedure.
- The action or improvement which is required.

Stage 1 Process

1. Actioned by any member of support or academic member of staff.
2. The member of staff will then record the stage 1 on Promonitor (see appendix C for instructions of use) and take appropriate action (logged on Aptem for Apprentices).
3. The member/s of staff providing the concern is to add notes in the learner comments and add the personal tutor and any other relevant teams.

OVERSEEN BY: Any member of staff APPEAL: No

Stage 2: Formal Warning

The staff member issuing stage 2 will formally meet with the student to discuss the concern and reach the appropriate outcome:

1. A learning contract is created for a fixed period of 2-weeks (extended if needed) and states the required improvement/s, timescales and monitoring activity. This will be agreed with the student and confirmed in the face-to-face meeting.
2. Recommendation for re-submission of work or re-assessment under controlled conditions (the logistics will be discussed in the meeting).
3. The learner contract must be used.

If the learner contract will be reviewed in 2 weeks. If this has not been met the following will happen:

- 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.
- Non-attendance at stage 2 would progress the concern to stage 3.

All such matters will be confirmed to the student/parent/carer/employer by phone or email 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 2 Process

1. Formal meeting between any member of staff and learner.
2. A warning is to be given to the learner and parents contacted by telephone by the member of staff issuing the stage 2. An email will be sent to the parents if the college is unable to gain a response by telephone.
3. The staff member will then record the stage 2 on ProMonitor (logged on Aptem for Apprentices).
4. The member of staff providing the concern is to add notes in the learner comments and add the personal tutor and any other relevant teams.

OVERSEEN BY: Any member of staff APPEAL: No

Stage 3: Formal Parental/Employer Meeting with Deputy Heads

Overseen by the Deputy in the curriculum area. The Curriculum Deputy will lead the meeting and be accompanied by the tutor and any other member of staff that needs to be present such as a send advisor or safeguarding team.

The Deputy of Curriculum will contact the learner, parents/carers and/or employers where necessary via phone call to arrange the meeting.

At this stage Deputies engage with parents/guardians and employers as the previous stages have not provided the agreed outcome.

The formal parental and employer meeting is put in place with managers to seek further support from all parties to prioritise actions to be taken. This is to hopefully prevent a final disciplinary panel and/or suspension. 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. The learner may be accompanied if they require additional support. If the learner fails to attend their stage 3, this may progress to a stage 4.

Stage 3 Process

1. Learner, parents/guardians and employers are to be invited into the college to discuss the matter further and set a clear action plan with deadlines.
2. This meeting will take place with the Deputy Curriculum Manager and subject tutor (logged on Aptem for Apprentices).
3. Any additional information observed by staff needs to be recorded on the learner comments tab.
4. A letter sent out by central admin to confirm the time/date and reason for the stage 3 meeting. This is followed through by the Deputy to ensure actions have been completed and logged onto Promonitor.

OVERSEEN BY: Deputy Head and the Tutor providing the stage 3 APPEAL: NO

Stage 4: Disciplinary Panel and Suspension

The College may suspend a student where:

- The required improvement is not achieved within the timescale stated in the stage 3.
- Further misconduct takes place after a stage 3 has been provided.
- It is believed that they have committed an act which warrants suspension.

This stage is managed by the students Curriculum Head of Department.

The decision to suspend a learner can be made by the Head of Department or a Safeguarding Lead or a member of the Senior Management team. If the learner is suspended, the Head of Department must contact a Safeguarding Lead for guidance to ensure due diligence regarding the learner's circumstances. The Head of Department will inform the Principalship of the decision to suspend.

If suspended, the Head of Department confiscates the lanyard. If the learner is under the age of 18 (or up to 25 and with an EHCP), the HOD **must inform** the next of kin during suspension to safeguard the learner and college. The learner must not attend or visit the college until the face-to-face stage 4 meeting after being suspended. However, to prevent missed learning, any suspended learner must be allocated relevant work where possible to be completed while under suspension. The Head of Department must ensure work is provided.

Please re-iterate to all those involved, that suspension is not an assumption of guilt. It is to allow the college to carry out a fact-finding exercise and allow an impartial investigation to be conducted efficiently and effectively.

The HOD will call the Formal Disciplinary Hearing, write to the student/parents/carers/employers and appoint an investigating officer. The appointed Investigating Officer can be any level of manager across the organisation or safeguarding officer.

The HOD will submit a stage 4 disciplinary hearing application via the Microsoft form, and a Student Services Manager will be appointed as a neutral party to ensure impartiality. The investigating officer will complete and submit the investigation pack template 72 hours prior to the disciplinary hearing. The investigating officer will then share the detail with the student and parents/guardians 48 hours prior to the meeting.

The learner may be accompanied by parent(s), carer(s), employer, student representative.

The panel will consist of the relevant HOD (chair), a manager, a student services lead to ensure the process is impartial and the investigating officer to provide the factual evidence (not to provide an opinion). Where possible, a note taker should be present.

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 six outcomes:

1. No case to answer and continue the course with no conditions.
2. To continue the course for a trial period with agreed actions to be 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.
5. Permanent exclusion
6. Student may be considered for Fitness to Study

The face-to-face meeting will take place within 10 working days from being suspended unless serious evidence 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 learner must NOT return to the college until the face-to-face meeting.

The outcome and any agreed actions of the hearing will be communicated in writing by the HOD 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.

The HOD to update ProMonitor with any agreed actions and outcomes within 24 hours of investigation with the report being fully completed with notes and actions. In addition, if the learner is permanently excluded, the HOD will request MIS to place a flag on EBS to alert enrolment staff not to enrol the learner and who to contact in the event of this happening. If the student has a learner or HE loan, MIS will need to be informed. Where apprentices or sponsored students are expelled, the employer is notified.

In the event of the full panel recommending the exclusion as an outcome of the investigation, the Principal must authorise after receiving the report documents. No action can be taken until approval has been authorised by the Principal.

Stage 4 Process

1. The investigating officer is to be appointed by the curriculum Head of Department. This will be completed by a deputy/manager/safeguarding Officer.
 2. Managers, Safeguarding Leads and Senior Managers have the authority to suspend a learner – Prior to any suspension being actioned, the manager must contact a Safeguarding Lead for guidance to ensure due diligence regarding the learner's circumstances.
 3. The manager or Safeguarding Lead will notify the Principalship of the decision to suspend. HoD to complete stage 4 on Promonitor. Any additional information observed by staff needs to be recorded on learner comments tab (see appendix A)
 4. HOD to provide all relevant information via Microsoft Form in Student Disciplinary and Investigations Teams Channel (please see appendix D)
 5. Investigating officer is selected by HoD of relevant dept.
 6. HoD to arrange central admin team to send suspension letter and arrange hearing time and date. The learner is not to contact or attend the college until the face-to-face meeting.
 7. The panel should consist of the relevant HoDs, another HoD or Deputy, a manager from student services and investigating officer.
 8. HOD will then record the stage 4 outcome on Promonitor (see appendix C)
 9. The investigating officer will complete the investigation pack 72 hours prior to the meeting and share with the student and parents/guardians 48 hours prior to the meeting.
 10. The HOD will lead and chair the meeting.
 11. Outcomes and notes are to be updated in the investigation report see appendix D).
 12. In the event of exclusion as an outcome of the investigation, the principal must authorise.
 13. Central Admin team will upload letter onto Promonitor.
- OVERSEEN BY: Head of Department
- APPEAL: Yes. In writing to the principal within 5 days of the suspension letter.

Appeals

There is the right of appeal against stage 4. There shall be no right of appeal for any stages of the process other than stage 4. Students have the right to use the College Complaints Procedure at stages 1-3 if they feel they have been unfairly 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.

HE students can also complain to the office of independent adjudicator regarding disciplinary matters.

Related Policies and Procedures

- Safeguarding Policy
- Student Attendance Policy
- Equality, Diversity and Inclusion Policy
- Admissions Policy
- Anti-bullying Policy
- Health and Safety Policy
- Complaints Policy
- Fitness to Study Policy
- Stop and Search Process
- Plagiarism Policy
- Missing in Education Process
- Acceptable use of Information Technology
- Lanyard Process
- Prevention of Bullying & Harassment Policy

Appendices

- Appendix A – Types of Misconduct and Suggested Actions
- Appendix B – Overview of Teams Documents
- Appendix C - Logging disciplinarys on Pro Monitor
- Appendix D – Logging Stage 4 disciplinarys on Teams

Appendix A -Types of Misconduct and Suggested Actions

Minor Breach = Stage 1 Verbal Warning

- Punctuality
- Attendance at College or work placement
- Lack of application to studies
- Failure to adhere to homework/assignment/coursework schedules
- Smoking / vaping outside of the designated smoking areas
- Misuse of student bursary support including petty cash claims and fraudulent applications for support.
- Disruptive behaviour inside or outside of the class, this includes actions in the wider community during college hours
- 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.
- Lanyard expectations
- Failure to complete assignments

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 Warning and Learner contract

- Smoking/ vaping 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
- Defamation of character
- 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
- 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
- Truancy

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

The Curriculum Head of Department will use their discretion when deciding which stage is most appropriate for the learner. *The list is not exhaustive, and a **professional judgement will be made concerning actions taken. This will be appropriate to the circumstances.***

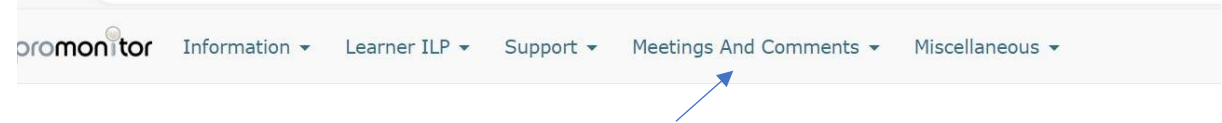
Appendix B – Overview of Teams Documents

Please use Microsoft Teams for additional resources and guidance including:

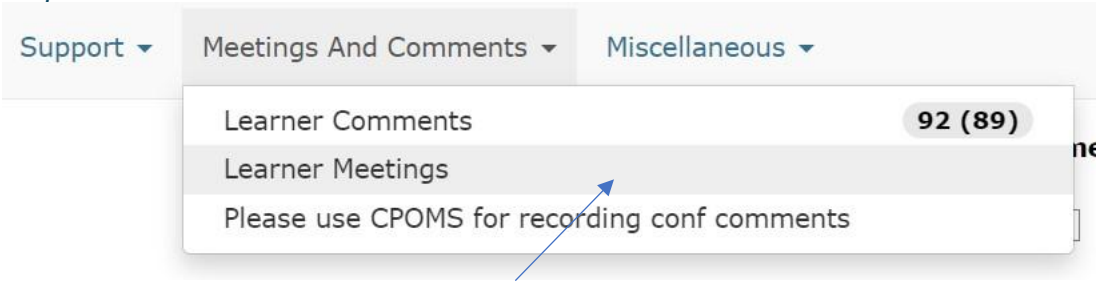
Resources and Guidance available via Teams Channel:	
A Positive Behaviour Contract	A contract that is set up following disciplinaries to set out expectations for learner
Completed Stage 4 Disciplinary Investigation	Example for consistency and clarity on structure
Template letters for disciplinaries	Stage3 and 4 and exclusion letters
Process Flows for Stage 4 Disciplinary	Process for instigating stage 4 and steps to take to ensure panel and meeting is conducted appropriately
Stages of Disciplinary	Guidance on what constitutes as stage 1,2,3 and 4
Fitness to Study Policy	Guidance to consider as alternative to disciplinary

Appendix C - Logging disciplinaries on Pro Monitor

Step 1



Step 2



Step 3

Category: -- Select a meeting category --

Type: -- Select a meeting type --

Complete: Either

Hide Cancelled Meetings: ☐

Hide pinned meetings: ☐

Show meetings from other Academic Years: ☐

Search

Clear

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	
13 Oct 2023			New Progress Review Meeting	Paul Wastell			

Add New

Step 4

Add

Complete ☐

Pin Meeting: ☐

Meeting Date: 12/01/2024

Duration (mins):

Time: hh:mm

Location:

Meeting Category: -- Select a meeting category --

Meeting Type: -- Select a meeting category --

Reason for Meeting:

Include in Non-Timetabled EEP Hours

Save

-- Select a meeting category --

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:

12/01/2024

Duration (mins):

Time:

hh:mm

Location:

Meeting Category:

Disciplinary

Meeting Type:

-- Select a meeting type --

-- Select a meeting type --

Disciplinary Meeting Stage 1

Disciplinary Meeting Stage 2

Disciplinary Meeting Stage 3

Disciplinary Meeting Stage 4

Reason for Meeting:

Include in Non-Timetabled EEP Hours

Save

Step 6

Add

Complete

Pin Meeting:

Meeting Date:

12/01/2024

Duration (mins):

Time:

hh:mm

Location:

Meeting Category:

Disciplinary

Meeting Type:

Disciplinary Meeting Stage 1

Reason for Meeting:

-- Select a meeting reason --

-- Select a meeting reason --

Regular Meeting

Attendance and Punctuality

Attitudes and Behaviours

Marine Deck Off Trainee Report

Marine Eng Off Trainee Report

Marine Deck Tutorial

Marine Deck End of Unit

Include in Non-Timetabled EEP Hours

Appendix D – Microsoft Teams

