



## STUDENT DISCIPLINARY PROCEDURE

### 1. INTRODUCTION

The College tries to keep its rules and regulations to a minimum. Everyone in the College community is expected to behave in a mature manner and to show care and consideration for the welfare of others. Students are expected to work hard and take responsibility for their own learning.

The need for disciplinary action should be rare. The College will make every effort to ensure that students are aware of their entitlements as well as their responsibilities and obligations. Disciplinary matters will be dealt with fairly and firmly by staff and students will have the opportunity to respond to allegations of misconduct.

### 2. SCOPE AND PURPOSE

This document refers to the **Student Code of Conduct** (Appendix 1) to which students are expected to adhere. In return provided with educational and other services and belonging to the College community. It also sets out the procedure which should be followed where the Student Code of Conduct is breached.

Breach of the Code of Conduct may lead to disciplinary action being taken against a student.

The Code applies to all students of the College, full or part-time, whether or not their course is validated by, or associated with, any other institution. It applies at all times during the year, whether or not during College terms. It also applies to students who are undertaking work experience, on official college trips and visits and during programmed learning/recreational activities on premises other than those belonging to the College.

The Code of Conduct is made known to all students through:-

- Induction Meetings
- Student Diary
- Tutorial and Course Information

### 3. MISCONDUCT

The following are **examples** of misconduct which may result in disciplinary action being taken against students:-

- Breach of the Students' Code of Conduct as set out in the publications indicated above, and at Appendix 1.
- Damage to, or theft of, the property of others
- Smoking, or using an imitation smoking device ('vaping') on or around the College campus, except in designated smoking areas
- Noisy, disruptive or unruly behaviour.
- The use of unacceptable language on or around campus
- Uninvited interruption to any College class or activity
- Intimidation or harassment of another person
- Behaving in a manner in public which brings the College into disrepute

### 4. GROSS MISCONDUCT

Any particularly serious cases of misconduct may be treated by the College as Gross Misconduct. For example, possession or being under the influence of any behaviour changing substance, including, but not limited to, controlled drugs, alcohol, aerosol or substance vapour or the excessive intake of caffeine or high energy drinks with prescribed medication. Deliberate damage or violence will be treated as gross misconduct. Persistent harassment by Social Media or other means may also be classed as Gross Misconduct.

Where any person is reasonably believed to be acting illegally, the College may inform the police and require the person to leave the premises immediately.

### 5. DISCIPLINARY PROCEDURE

#### a. Verbal Warning

Most instances of behavioural misconduct, poor attendance or academic underperformance will be identified and dealt with quickly and informally by an appropriate member of the College staff. The student will be seen by their Personal Tutor, Course Leader or member of the Leadership Team. The student will be reminded of his/her responsibilities and warned about the consequences of a repeated breach of the code. A brief file note and Verbal Warning will be entered on Student Tracking.

#### b. Official Warning

Where the misconduct is repeated, or considered to warrant more formal treatment, an Official Warning may be issued. The student will be invited to attend a meeting with parents/carers and be given the opportunity to explain the

misconduct. This will be taken into account before any warning is given. An Official Warning will include the reasons for the warning and the consequences of further misconduct. This will be carried out by the PTL, DTL or member of the Management Team. The emphasis should be on establishing practical measures to avoid recurrence. A file note stating the required standards set to continue will be entered on Student Tracking.

### **c. First Stage Disciplinary Interview**

Where the misconduct is of a more serious nature or where similar conduct has been repeated after one or more Official Warnings, the student may be referred to attend a Formal Disciplinary Interview. The interview will usually be with a member of the Senior Management Team (SMT). The parent/carers of students aged under 18 will be notified in writing, five days in advance of the interview and invited to attend. The letter will detail the reason for the interview and any previous actions taken

After hearing the student's case, the member of SMT conducting the interview may decide to issue any of the above sanctions, a Formal Written Warning, Final Written Warning, or may decide that a lesser or no further disciplinary sanction would be appropriate. The student will be notified in writing of the decision within five working days of the interview. Any conditions set to continue at Truro and Penwith College will be clearly stated.

### **d. Formal Written Warning or Final Written Warning**

Any Formal Written or Final Written Warning will be issued within five days of the interview. The **Formal Written Warning** will give the reasons for the decision and will state that any further repeated or similar misconduct by the student **may** result in the student's exclusion from Truro and Penwith College.

A **Final Written Warning** will advise that any repeated misconduct **will** result in exclusion. In circumstances where the misconduct is unequivocal, this will be without further reference to the Disciplinary Procedure.

A copy of the written warning will be sent to the parents of students aged under 18 years.

### **e. Gross Misconduct - Suspension Pending Interview**

Where a member of staff has good reasons to believe that a student has committed an act of **gross misconduct**, the student may be suspended immediately by a member of the Management Team. Such a suspension will be confirmed in writing within four days and the student will be invited, within seven days of the suspension, to attend a Second Stage Disciplinary Interview with a member of the Senior Management Team.

## **f. Second Stage Disciplinary Interview**

Where gross misconduct is believed to have occurred, or further misconduct is complained of after a Formal or Final Written Warning has been issued, the student will be invited to attend a second stage interview with a member of the Senior Management Team.

The student (and the parent/carers of an under 18 year old) will be given five days' notice of the interview. The notice will state the nature of the misconduct, the student's entitlement to accompaniment by a member of the family or designated carer/support worker. **It will state the fact that the interview may result in the recommendation that he/she be formally expelled from Truro and Penwith College**

The senior member of staff who conducts the interview shall be accompanied by a PTL or DTL and another member of staff who will make notes.

The student will be given the opportunity to challenge evidence or allegations, to raise any mitigating circumstances or identify sources of evidence which might support his/her case.

## **g. Recommendation for Exclusion after a Second Stage Interview**

After the completion of the interview and having taken into account the balance of information and any mitigating circumstances, the senior member of staff will make a disciplinary recommendation to the Principal.

The student will be given written notification of the recommendation within five days of the interview. The notification will state the reasons for the recommendation and details of the right of Appeal.

If there is no appeal within the time allowed, the recommendation will be implemented.

## **h. Appeal against Recommendation for Exclusion**

In the case of exclusion, the student will have the right of appeal to the Principal. The Appeal must be in writing and lodged with the Principal's Secretary within five days of the date of receipt of the letter of recommendation. It should state the grounds and particulars of the substance of the Appeal.

If an Appeal is lodged within the time allowed, the Principal will review the process and consider the available evidence. An interview with the Principal may be required. The student will be given at least five days' notice of the date, place and time of any interview and of his/her right to accompaniment by a parent/carers or appropriate support worker.

The decision by the Principal will be final and confirmed in writing confirmed in writing to the student within fourteen days of the Appeal.



# Appendix 1

## Truro & Penwith College

### Student Code of Conduct



#### Our College commitment to you

##### We will:

1. value people equally regardless of age, disability, gender, race, religion, sexual orientation and transgender status, in accordance with the College's 'Equality and Diversity' policy
2. keep working to make college life ever fairer and better
3. provide you with a safe and secure environment in which to learn
4. give you opportunities to improve your health and wellbeing
5. provide opportunities for you to give us feedback through the 'Learner Voice' programme
6. help you choose courses which are right for you
7. offer you information, advice and guidance on progression and career opportunities
8. support you in your learning and wherever possible, provide resources which meet your individual needs
9. set progress targets with you that are achievable yet challenging
10. ensure that assessment of your learning is clear, regular and constructive
11. give you regular feedback on your progress through our reporting process
12. provide information to your parent/carers on your attendance and achievement
13. deal promptly and fairly with any complaints you may have
14. We will comply with GDPR requirements

**Your Tutorial and Enrichment Entitlement: All students at Truro & Penwith College** are entitled to receive support for academic and personal issues. This will include access to the tutorial and enrichment programme.

#### Your commitment to the College

##### We expect you to:

1. have **full attendance** at all timetabled activities, assessments and exams
2. **be punctual for all timetabled activities – late means late! You will be marked as late on the register if you are not at the start of your lesson/session**
3. complete your work to the requirements of your course/teacher by agreed/set deadlines
4. take responsibility for your learning by participating in all learning activities and progress target setting and review processes
5. make learning successful for everyone by behaving in a way that promotes a co-operative, positive and productive learning environment
6. play an active part in equality and diversity, by respecting the rights of others and reporting inappropriate and unsafe behaviour
7. understand that If you are eligible for the Learner Bursary, payments are reliant on attendance, behaviour and commitment
8. seek help when you need it and **take up** the support *offered to you*
9. **attend all scheduled learning support sessions** if they are offered to you
10. pay all fees promptly when due (if appropriate)
11. keep all social areas clean and tidy – clearing your litter into the bins provided
12. make learning successful for everyone by behaving in a way that promotes a co-operative, positive and productive learning environment
13. **carry your student identity card at all times!** You will be asked to produce your ID card in order to use/borrow learning resource materials, purchase lunch and register in class. There will be regular spot checks on identity cards throughout the year. Students found not to be carrying their cards will be dealt with under the Student Disciplinary Procedure
14. respect the college environment by not eating and drinking (water only) in classrooms and workshops and disposing of your litter. Please use the re-cycling facilities available to you
15. Smoke in designated areas only

#### What we do not accept at College

##### We will not accept:

1. any form of bullying or discrimination
2. any form of physical, emotional or verbal threat to any other student or member of staff
3. any inappropriate language, disrespectful behaviour or abuse toward any student or member of staff
4. any actions that break the college Health and Safety rules, such as setting off of fire alarms or other unsafe behaviours
5. anyone coming on to any college site under the influence of illegal drugs, alcohol, herbal, or any other behaviour changing substance
6. the use, possession or sale of alcohol, illegal drugs, solvents or other harmful substances, including herbal substances
7. the carrying of any weapon or use of any item as a weapon
8. any behaviour which causes a disruption to the learning of others
9. any copying of the work of others (plagiarism)
10. any inappropriate use of I.T. including cyber or online bullying (see e-safety Code of Conduct)
11. the use of mobile phones or any other electronic devices in any teaching sessions - unless directed to do so by the teacher as part of learning
12. eating and drinking (apart from water) in classrooms, workshops or learning environments.
13. spitting on any college site
14. damage to any college property - including graffiti
15. leaving of litter or gum anywhere but in the bins
16. smoking outside the designated areas

**The breaking of any of the above, could result in disciplinary action being taken as Gross Misconduct under the Student Disciplinary Procedure.**

Please print your name: \_\_\_\_\_

Student ID: \_\_\_\_\_ Date: \_\_\_\_\_

Your signature: \_\_\_\_\_

Tutor signature: \_\_\_\_\_