



Student Disciplinary Procedure

Process

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Introduction

The Student Disciplinary Procedure supports the College mission by encouraging appropriate behaviour and creating the conditions under which learning can most effectively take place. St Mary's College aims to ensure good behaviour standards and recognises that a disciplinary procedure is essential to promoting fairness and order.

The aims of the procedure are:

- To ensure that all instances of misconduct and the circumstances are investigated (suspension may be applied whilst this takes place)
- To ensure consistent and fair action is applied recognising minor breaches of discipline and serious offences as requiring different action
- To recognise that students, have the right to be advised of the reason for formal disciplinary measures, to hear the evidence against them and to state their case
- To enable individuals to appeal against a final decision and to be accompanied at any appeal meeting should they wish

Minimum standards include:

- Student awareness of the standards of behaviour expected and types of behaviour that will not be tolerated
- Ownership of the responsibility to monitor and re-enforce behaviour standards and expectations by all St Mary's College employees
- A simple formal disciplinary procedure that is consistently applied where all other approaches / interventions fail

Compliance: Legal, Statutory and Internal Regulations:

- Keeping Children Safe in Education 2019
- GDPR 2018
- Equality Policy & Procedures
- Student IT Acceptable Use Policy

Scope:

The Student Disciplinary Procedure applies to all students at St Mary's College except those on HE programmes, who fall under the procedures of the relevant university

Specific accountabilities of parties are:

- The Principal holds ultimate accountability to ensure appropriate policies and procedures for the recruitment and protection of students
- Delegated responsibility for the application, monitoring and revision of these procedures lies with the Assistant Principal: Students
- All employees have responsibility for application of the procedures

Procedure:

1. Principles of Discipline:

1.0 Expected high standards of behaviour should be well understood by all students as a condition of joining St Mary's College. These standards will be embodied within the Learning Agreement each student signs at induction (Appendix 3) and referenced as the basis of ground rules at commencement of each programme of study

1.1 The principles of discipline are the responsibility of all St Mary's College employees and sub-contractors. Low level breaches of discipline within learning environments or any areas of St Mary's College require consistent, fair and professional action by any employee or sub – contractor. Examples of a single low level breach issues are:

- Talking during lessons / sessions that disturbs and disrupts others
- Playing music or on line gaming too loudly in communal areas
- A heated discussion or disagreement

This list is not exhaustive. Such breaches will be treated as Informal Misconduct and would not invoke the formal Student Disciplinary Procedure unless such breaches occurred persistently.

2. Formal Disciplinary Procedure:

2.0 The Formal Student Disciplinary Procedure will comprise of three stages (Appendix 2):

- Misconduct (Orange)
- Serious Misconduct (Red)
- Gross Misconduct (Purple)

Gross Misconduct (Appendix 2) is a single event of the severity to justify dismissal without initially invoking the two stages of the Student Disciplinary Procedure

2.1 Formal disciplinary action will be taken relating to the following specific strands:

- Attendance and Punctuality
- Behaviour
- Performance (Gross Misconduct does not apply to this strand)

Action should be formally recorded and centrally stored securely to enable records to be readily made available on request whilst complying with statutory GDPR 2018 regulations.

Interview notes should be taken and retained in a Discipline File by the interviewer for that academic year.

2.2 Types of behaviour associated with stage are listed in Appendix 1. This list is not exhaustive.

3. Recording Breaches of Discipline:

3.0 A circumstance that any employee deems grounds for invoking the Formal Student Disciplinary Procedure must be recorded on Cedar and the Assistant Principal: Students alerted by e mail/Cedar

3.1 Invoking the Formal Student Disciplinary Procedure will be the decision of the Heads of Faculty/Head of Inclusion or, in their absence, an appropriate Senior Manager, following investigation and consultation with the appropriate employee.

3.2 All breaches of discipline where the Formal Student Disciplinary Procedure is applied must be recorded on Cedar, with a full factual account and the action taken.

3.3 Where there is culmination of persistent, unacceptable low level breaches resulting in the Initial Stage being invoked it is this action with an overview of the preceding series of events that should be recorded on Cedar. It is not necessary to record each individual low level incident which has subsequently resulted in disciplinary action being taken.

4. Monitoring Absence and Late Attendance:

4.0 Records of student attendance should be reviewed weekly for all students.

4.1 The Attendance Officer is responsible for monitoring students' attendance and will review attendance records with Tutors, Teachers, Senior Safeguarding and Welfare Officer and Head of Inclusion on a weekly basis.

4.2 There may be specific personal circumstances affecting individual student attendance that require consideration and appropriate discretionary flexibilities, however for consistent practice triggers for intervention and the usual response may include:

- **A single unauthorised absence:**

- Parents contacted quickly by text for an explanation to convey to the personal tutor and if appropriate an explanation to the individual the potential consequences of further absence:

- **Overall attendance on a course / module falls below 95% or a pattern of poor attendance for specific lessons / sessions becomes apparent:**

- Absence identified by the Attendance Officer /tutor/teacher (verbal warning issued)
- If no improvement, then student invited to a meeting with the Head of Inclusion/Head of Faculty/Senior Safeguarding and Welfare Officer
- Misconduct stage of the Student Disciplinary Procedure invoked (unless special or discretionary circumstances apply)

5. Appeal:

5.0 Where invoking the Student Disciplinary Procedures results in suspension or termination from College, the individual has the right to appeal against the decision. Appeals should be made in writing within 10 working days addressed to the Principal.

5.1 The decision of the Principal will be final.

5.2 The complaints and appeals procedure is outlined in St Mary's College's "Complaints Procedure".

Appendix 1: Example Possible Behaviours

Misconduct: Amber	Responsibility	Possible Behaviour (examples - list is not exhaustive)
	One of the following: Head of Inclusion, Head of Faculty (keeping Assistant Principal informed)	<ul style="list-style-type: none"> • Repeated lateness • Pattern of poor attendance • Repeated inappropriate behaviour • Failure to submit work • Persistent late submission of work • Repeated misuse of mobile phones in the classroom / lesson • Failure to comply with a reasonable request from a member of staff • Disruption to the work or recreation of others
Serious Misconduct: Red	Responsibility	Possible Behaviour (examples - list is not exhaustive)
	Assistant Principal and/or Head of Inclusion	<ul style="list-style-type: none"> • Failure to meet the terms of an Initial Stage contract • Repetition of action leading to an Initial Stage contract • A series of breaches of the Learner Agreement • Breaches of the Online Safety Acceptable Use Agreement • Harassment, bullying or discriminatory behaviour • Breach of the Health & Safety endangering others • Persistent failure to complete course work or assignments

Gross Misconduct is a single event of the severity to justify dismissal without initially invoking the two stages of the disciplinary procedure. In its own right it therefore forms part of the Final Stage.

Gross Misconduct Purple	Responsibility	Possible Behaviour (examples - list is not exhaustive)
	Assistant Principal	<ul style="list-style-type: none"> • Cheating, plagiarism or copying of others' work for assessment • Bullying in all forms including online and via social media • Theft, fraud or unauthorised removal of College property • Violence or serious threat of violence • Serious breach of Health & Safety regulations • Sexual Misconduct • Possession or use of alcohol, illegal substances, weapons* or laser pens • Other behaviour which jeopardises the safety of members of the College community

* Possession or use of a weapon in College will **always** result in exclusion and will usually lead to notification to the Police.

Appendix 2: Discipline and Support System

Strand	Stages			
	Verbal Warning	Misconduct	Serious Misconduct	
Attendance (and punctuality)	Verbal warning (recorded) Teacher/Tutor/ Attendance Officer	Written warning (copy parents carers if applicable) Head of Inclusion	Written notification (parents/carers informed if applicable) Assistant Principal	Disciplinary Panel (with parents /carers in attendance if applicable) Assistant Principal
Continuation of texting system Early intervention in first 2 weeks Attendance data scrutinised weekly by attendance officer and Senior Safeguarding and Welfare Officer Heads of Faculty to regularly meet teacher to review attendance Assistant Principal to hold weekly meetings with Heads of Faculty and Head of Inclusion to monitor attendance	First incidence of missed lesson – student challenged. Further incidence of missed lessons and/or continued lateness - verbal warning issued by teacher, tutor or Attendance Officer. Recorded on Cedar with SMART target Tutor/ Attendance Officer/teacher continuously monitor developing issues. Tutor may issue further verbal warning to student – recorded on Cedar. Yellow symbol to appear next to Verbal Warning	Head of Faculty to be kept informed and /or involved (if link to underperformance) Persistent absence and/or lateness will trigger a misconduct stage Head of Inclusion working with Senior Safeguarding and Welfare officer. Contract issued available on Cedar (with SMART targets) Amber symbol to appear next to contract on Cedar Head of Inclusion or Senior Safeguarding and Welfare Officer to review students' attendance after 2 weeks. If improvement (i.e. 100% attendance), remove from misconduct Parents /Carer informed (if applicable), written warning, standard letter.	As with Misconduct, but parents / carers invited into College (if applicable). Assistant Principal working with Head of Inclusion Red symbol appears next to contract on Cedar Contract issued available on Cedar (with SMART targets) Review with student after 2 weeks. Remove from Serious Misconduct if targets achieved Clear indication that this is the final stage and that failure of the set targets could lead to exclusion If improvement (all targets met), remove from serious misconduct	Decision on whether to apply final Serious Misconduct contract or exclusion Implementation of exclusion notice or final contract Contract issued available on Cedar (with SMART targets)

Strand Behaviour (In class)	Verbal Warning (recorded) Teacher/Tutor	Misconduct (copy parents/ carers if applicable) Head of Inclusion	Serious Misconduct Written notification (parents/carers informed if applicable) Assistant Principal	Gross Misconduct Disciplinary Panel (with parents /carers in attendance if applicable) Assistant Principal
	<p>First incidence of poor behaviour- student challenged</p> <p>Further incidence of poor behaviour- verbal warning.</p> <p>Verbal warning recorded on Cedar by teacher/tutor with SMART targets. Review after 2 weeks.</p> <p>Yellow symbol to appear next to Verbal Warning</p>	<p>Continued poor behaviour</p> <p>Head of Inclusion working with Senior Safeguarding and Welfare Officer and/or Heads of Faculty</p> <p>Contract issued available on Cedar (with SMART targets) Amber symbol to appear next to contract on Cedar</p> <p>Review after 2 weeks. If targets achieved, remove from misconduct stage</p> <p>Parents informed (if applicable) written warning, standard letter</p>	<p>As with Misconduct, but parents /carers invited into College (if applicable)</p> <p>Assistant Principal working with Head of Inclusion</p> <p>Red symbol appears next to contract on Cedar</p> <p>Contract issued available on Cedar (with SMART targets)</p> <p>Review with student after 2 weeks. Remove from Serious Misconduct if targets achieved</p> <p>Clear indication that this is the final stage and that failure of the set targets could lead to exclusion</p>	<p>Gross Misconduct is a single event of the severity to justify dismissal without initially invoking the two stages of the disciplinary procedure.</p> <p>Student suspended while event is investigated</p> <p>Decision on whether to apply Gross Misconduct contract or exclusion</p> <p>Implementation of exclusion notice or contract</p> <p>Contract issued available on Cedar (with SMART targets)</p> <p>Purple symbol appears on next to contract on Cedar</p>

Strand Behaviour (Outside class)	Verbal Warning Senior Safeguarding and Welfare Officer, teacher, tutor	Misconduct (copy parents/ carers if applicable) Head of Inclusion	Serious Misconduct Written notification (parents/carers informed if applicable) Assistant Principal	Gross Misconduct Disciplinary Panel (with parents /carers in attendance if applicable) Assistant Principal
	<p>First incidence of poor behaviour-student challenged</p> <p>Further incidence of poor behaviour-verbal warning.</p> <p>Verbal warning recorded on Cedar with SMART targets</p> <p>If poor behaviour continues refer to Head of Inclusion</p> <p>Yellow symbol to appear next to Verbal Warning</p>	<p>Continued poor behaviour</p> <p>Head of Inclusion working with Senior Safeguarding and Welfare Officer</p> <p>Contract issued available on Cedar (with SMART targets). Amber symbol to appear next to contract on Cedar</p> <p>Review after 2 weeks. If targets achieved remove from misconduct stage</p> <p>Parents informed (if applicable) written warning, standard letter</p>	<p>Continued poor behaviour</p> <p>Assistant Principal working with Head of Inclusion</p> <p>Contract issued available on Cedar (with SMART targets). Red symbol will appear next to contract on Cedar.</p> <p>Review after 2 weeks. If targets achieved, remove from serious misconduct.</p> <p>Clear indication that this is the final stage and that failure of the set targets could lead to exclusion</p>	<p>Gross Misconduct is a single event of the severity to justify dismissal without initially invoking the two stages of the disciplinary procedure.</p> <p>Student suspended while event is investigated</p> <p>Decision on whether to apply Gross Misconduct contract or exclusion</p> <p>Implementation of exclusion notice or contract</p> <p>Contract issued available on Cedar (with SMART targets)</p> <p>Purple symbol appears on next to contract on Cedar</p>

Strand Performance	Verbal Warning Teacher/Tutor	Misconduct Head of Faculty or Head of Inclusion	Serious Misconduct Written notification (parents/carers informed if applicable) Assistant Principal	Disciplinary Panel (with parents /carers in attendance if applicable) Assistant Principal
<p>Heads of Faculty to regularly meet teachers to review performance</p> <p>Assistant Principal to hold weekly meetings with Heads of Faculty to monitor progress</p>	<p>Under-performance through lack of effort as opposed to ability</p> <p>Student challenged.</p> <p>Teacher records Verbal Warning on Cedar with SMART targets</p> <p>Teachers in other subject areas notified by email/Cedar</p> <p>Teacher/Tutor continuously monitors developing issues. Targets reviewed after 2 weeks.</p> <p>Yellow symbol to appear next to Verbal Warning</p>	<p>Action to be taken in the event of repeated under-performance</p> <p>Head of Faculty or Head of Inclusion working with teacher and/or tutor.</p> <p>Contract issued available on Cedar (with SMART targets) Amber symbol to appear next to contract on Cedar</p> <p>Head of Faculty or Head of Inclusion working with teacher to review student's performance after 2 weeks. If improvement remove from Misconduct Stage</p> <p>Parents / carers informed, (if applicable), written warning, standard letter</p> <p>Teachers in other subject areas notified by email/Cedar</p>	<p>As with Misconduct, but parents invited into College (if applicable)</p> <p>Assistant Principal working with Head of Faculty or Head of Inclusion</p> <p>Contract issued available on Cedar (with SMART targets). Red symbol to appear next to contract on Cedar</p> <p>Review after 2 weeks. Remove from Serious Misconduct if performance improves</p> <p>Clear indication that this is the final stage and that failure of the set targets could lead to exclusion</p>	<p>Decision on whether to apply final Serious Misconduct contract or exclusion</p> <p>Implementation of exclusion notice or final contract</p> <p>Contract issued available on Cedar (with SMART targets)</p>

Appendix 3: Learner Agreement

Name:

St Mary's College Learner Agreement 2019- 2020

St Mary's College aims to provide you with a first-class education consistent with the values expressed in the Mission Statement. You are now a young adult and as such you must take responsibility for your own learning and behaviour.

In particular, you are expected to

Ensure you maintain the values of the College by:

- Treating all members of the College community with courtesy and respect
- Keeping the College and the surrounding area tidy and taking good care of the premises and equipment
- Visibly wearing your ID badge at all times
- Informing staff if anyone is on the College campus who should not be here
- Using the College IT facilities in line with the Acceptable Use Agreement
- Looking after the well-being of yourself and others
- Not smoking in the buildings, car parks or grounds except in designated smoking areas (This also applies to electronic cigarettes)

Ensure your learning is as effective as possible by:

- Attending 100% of your lessons on time and with the right equipment
- Completing all work including homework to the best of your ability and by the deadline set
- Making effective use of your study periods
- Limiting part-time work to ten hours a week or less and not letting work or other activities interfere with your study
- Not making or receiving calls or texts during a lesson. Phones must be switched off
- Behaving in an appropriate manner that does not interfere with either your own learning or that of another student
- Not talking whenever anyone is addressing the class as a whole
- Not recording any session without the permission of the teacher
- Not having food or drink other than bottled water in classrooms

The following acts will lead to immediate suspension and possible permanent exclusion:

- Violent conduct on College premises or against any student or member of staff
- Any type of harassment or bullying
- Use or possession of alcohol or any illegal substance or being intoxicated at College or during the College day
- Any other illegal act committed at College, during the College day or when engaged in any College related activity
- Any action which is reasonably considered to be a threat to any student or any member of staff, or which has brought the College into disrepute

Student Declaration

I have read the College Learner Agreement and I am aware of the standard of behaviour required. I realise that the College will take action up to and including permanent exclusion should I breach these conditions.

Signed:

Date:

Appendix 4: Checklist for Recording Disciplinaries

Have You?	Yes
Recorded on Cedar and include (as appropriate) Tutor Attendance Officer Class teachers HOF AP(S)	
Set SMART targets (this is essential)	
Set an Outlook calendar reminder to review in two weeks	
Arrange for a letter or telephone to parents / carers (if applicable) Include this in the Cedar log	
Review in two weeks. If there is improvement/targets have been achieved, congratulate the student and explain the future standards required If targets have not been achieved, refer to the next stage	

