



**BILBOROUGH**  
SIXTH FORM COLLEGE

# **Student Intervention & Disciplinary Procedure**

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**STUDENT INTERVENTION / DISCIPLINARY PROCEDURE**

## **1. INTRODUCTION**

- 1.1** This procedure recognises that the College whilst in the first instance will seek to support students, also has the power to discipline students in respect of misconduct, negligence and any other breaches of the College's expectations, rules and policies.
- 1.2** The purpose of the procedure is to help and encourage students achieve and maintain acceptable standards of conduct and performance, and to ensure consistent and fair treatment for all in relation to disciplinary actions.
- 1.3** It is not intended that this formal procedure should be used where relatively minor problems can be best resolved by a private word with the individual concerned. On occasions when formal disciplinary action becomes necessary, however, it is in the interests of all concerned to ensure that the procedure followed is clear, effective and fair in all respects.
- 1.4** The College requires all students to be serious and committed as a basic requirement for success. If a student breaches these requirements and undermine their own progress or that of fellow students, then action may be necessary under the College's disciplinary procedure (see 2.4 for more detail).
- 1.5** The disciplinary procedure will also be invoked when students break specific college codes of conduct (eg IT code of conduct, Anti bullying policy etc) or if students are involved in any of the activities deemed as 'unacceptable behaviour/inappropriate behaviour' outside of lessons including breaching rules on use of lifts, litter, behaviour around balconies and general behaviour in and around corridors/reception area. We also expect our students to conform to conditions laid out in student contracts and to follow procedures laid down by senior staff. We expect all our students to show respect for their fellow students, all staff and the college premises. Failure to do so means students might be subject to disciplinary procedures.

Copies of the above documents are available on request from the College, and appear on the College Moodle site.

- 1.6** The follow are examples of misconduct which WILL lead to involvement in disciplinary procedures and which in turn could result in temporary suspension, permanent exclusion from the College and/or criminal proceedings.
  - Verbal, racial or sexual harassment or any other action contrary to the equality and diversity policy, or any form of bullying, physical threats or assaults (see related anti bullying policy).
  - Any action which threatens the health and safety of the individual student or other people, either in class, on the College premises or on trips/visits organised by the College.
  - Wilful damage to property, or action which threatens the safety of individual students or other members of the College community.
  - Theft, gambling, or taking or demanding money by using threatening behaviour.

- Taking, dealing or being in possession of illegal substances on the College campus, drinking alcohol or being under the influence of alcohol or drugs on the campus.
- Being in possession of any type of weapon/knife on the College premises.
- Persistent failure to pay any financial debt owing to the College.
- Persistent and deliberate failure to adhere to college rules or instructions given by the senior leadership team.
- Involvement in criminal proceedings outside of College which may have potential implications for the safety of others in College.

Please note that some areas of College may apply different rules over some matters. (eg eating and drinking in the College work spaces). Students need to be aware of these separately publicised 'local' rules.

- 1.7** The procedure should not be used where the reasons for inadequate performance at College are solely due to reasons beyond the control of the individual (e.g. serious health issues or illness) or where the issue is mainly one of ability rather than approach.
- 1.8** In general, early intervention, good communication along with the visible and consistent support of staff in dealing with matters of behaviour is encouraged, to promote a positive, fair, pleasant and hardworking ethos.
- 1.9** The College is a place of work and the staff will seek to foster good habits which would be expected in the workplace, such as punctuality, good attendance and diligence. Students will be treated by staff as young adults but must expect to behave with the responsibility associated with that status.

## **2. BEHAVIOUR MANAGEMENT PROCEDURES**

- 2.1** The procedure for students provides a framework of stages (see below), but there will sometimes be cases of serious misconduct where the early levels of the procedure can be missed out and the procedure will start at level 3 or 4. For cases of gross misconduct, which has threatened or may threaten the health, safety or future welfare of the individual student or others, the Senior Management may begin the procedure at Level 5. (Exclusion)
- 2.2** Staff will seek to clarify and be sensitive to any difficulties a student may have in taking responsibility for their approach/ behaviour as a result of any external circumstances. In doing so, individuals will be guided to access support, perhaps through the College support systems, a counsellor or external agency.
- 2.3** Where students fail to meet their obligations on their programme of study, then action will be taken as appropriate to help and encourage them to achieve and maintain acceptable standards of conduct and performance.
- 2.4** Whilst not exhaustive, the following are examples of misconduct within a programme of study which may lead to an escalation of concern and involvement in procedures, which in turn could result in permanent exclusion from the College:

- Failure to make adequate progress where the main factors are unrelated to academic ability
- Consistent failures to meet expectations outlined in the Student Agreement signed at enrolment such as;
  - persistent lateness,
  - unexplained absences from lessons or other College activities.
  - failure to hand in work set by teachers
  - production of work that consistently falls below an accepted level as a result of poor approach or effort
- Behaviour that is inappropriate or disruptive to learning in the classroom, Library or Study Areas or to any other area where learning should take place.
- Any action which threatens the health, safety or welfare of the individual student or others

N.B. The College reserves the right to contact home if unexplained absence or failure to complete assignments occurs.

**2.5** In the event of unexplained **attendance** issues arising the following should be taken as a benchmark.

|   |               |
|---|---------------|
| Good attendance –                         | 95 % +        |
| Concern achievement will be affected. -   | 93 - 95 %     |
| Concern action should be taken            | 93-90 %       |
| Unacceptable - (exam fees may be charged) | Less than 90% |

**The College reserves the right to charge examination fees if the absence remains below 90% and the student fails to respond to the support offered.**

**Subject staff** and **Personal Tutors** will monitor attendance weekly and the **Personal Tutor** should be aware of any patterns of unexplained absence which may not show as percentage of concern, but may be repeated in certain sessions. **Curriculum Leaders/ Heads of Faculty** may become involved from level 2 if the patterns of absence or poor commitment arises in **their subject area.**

**2.6** Whilst not exhaustive, the following are examples of misconduct, not specifically related to a programme of study, will lead to involvement in disciplinary procedures, which in turn could result in permanent exclusion from the College and/or criminal proceedings:

- Verbal, racial or sexual harassment, or any bullying, physical threats or assaults
- Theft, gambling, or taking or demanding money by using threatening behaviour
- Possession, taking or dealing in illegal substances, drinking alcohol or being under the influence of any of these while under the control of the College.
- Persistent and deliberate failure to adhere to college rules or instructions given by the senior leadership team.
- Abuse of the College premises, facilities or resources such as wilful damage to property, breaches of the acceptable user policies for ICT or

action which threatens the safety of the individual student or others (all listed in 1.6).

In the case of the above separate policies maybe applicable.

- 2.7** Where students are involved in criminal activities or are suspected of having broken the law, the police may be involved. The College reserves the right to involve, or share information, with other agencies e.g. the police in this context.

### 3. STAGES OF DISCIPLINARY/ INTERVENTION PROCESS

#### Stage 1. Informal Verbal Warning and Support

Situation assessed by affected member of College staff (tutor, teacher, support staff)

- The **Personal Tutor** should be informally notified of concern being dealt with.
- Actions should be placed on the student log (only factual information should be recorded)

If the concerns continue the student should be given a verbal warning. Examples of stage 1 concerns.

- Persistent instance of failure to complete work.
- Persistent consecutive instances of unexplained absence
- Persistent case of disruptive behaviour in lessons or other areas of the College premises
- Persistent instance of using lifts when not entitled to do so.
- Persistent punctuality issues

Where appropriate an action plan may be drawn up by either the teacher or tutor to assist the student to improve.

The issue should be communicated to parents/guardians either by telephone, e-mail or letter notifying them of the issue stating that with the support of parents/guardians the matter will be resolved, but a record will be made on the student log.

If the student fails to respond positively or the concerns emerge across subject areas the matter should be picked up by the **Personal Tutor** who will instigate.

#### First stage Formal Intervention - level 1 contract

- The Student log should be used to record the nature of the issue and record the support offered. **Personal Tutors** should liaise between staff and communicate actions and support. It is expected Personal Tutors should ensure subject staff are fully aware of the issues involved which may have led to the underachievement of the student in question.
- A short period should be agreed for the students to respond positively to the support offered.
- If the issue is in only one subject area the **Curriculum Leader (CL)/Head of Faculty (HoF)** may lead on the process if appropriate.
- **Personal Tutors** should inform **parents/carers**, of the nature of the concern and support being offered and if appropriate a meeting should be arranged with **parents/carers'**, relevant **subject staff** and the student.
- If issues arise that require confidentiality or involve sensitive personal issues, the Personal Tutors should seek advice from the Head of Student Support to the most appropriate course of action. Nothing of a confidential nature should be detailed on the student log (only factual information should be recorded). S Forms should be utilised for information of a sensitive nature.
- A Level 1 contract may be issued, setting out clear actions and a date for review may be issued. The contract at this level may include, the student being timetabled in the Intervention Study Room and in compulsory subject

support sessions to ensure any work missed or of an unsatisfactory standard is completed.

## **Second Stage Formal Intervention – Level 2 contract**

If little or no progress is made at stage 1 then the student will be moved to the second stage of formal intervention

- A formal review meeting with the student, and if appropriate their **parents / carers** should take place. The meeting should be led by (as appropriate) the lead personal tutor, Curriculum leader or Head of Faculty.
- The student log should be updated with details of the terms and conditions of the new contract.
- Student to be reviewed weekly by relevant staff member

In the event of the student failing to respond positively the LPT/ CL/ HOF should send a letter warning of the third and final intervention level - senior management contract.

## **Third Stage Formal Intervention - Level 3 Senior Management contract.**

If little or no progress is made at level 2 then the student will be moved to the third stage of formal intervention

A formal review by a member of the senior management team may lead to a senior management (final contract) which clearly outlines what is expected of a committed student. The contract includes the clause that if the student fails to abide by the terms of the contract then it is indicative of the fact that the student has opted to leave college. Parents will again be informed of the situation and sent a copy of the final contract. In drawing up this contract the SLT member will liaise with relevant staff to ensure the contract meets the needs of the student and specific subject areas.

If the student breaks the final contract they should leave college, but there is an appeals process in which the student and parent may write to the Assistant Principal (G&S) with mitigating circumstances.

## **Fourth stage Intervention. Review by the Assistant Principal/Principal and temporary or permanent exclusion (suspension/dismissal)**

A review will be conducted of the evidence provided and a meeting arranged to discuss this. If the concern, allegation or lack of improvement is substantiated, consideration may be given to the appropriateness of 'fixed/short term exclusion' or 'Permanent exclusion' from the College. At this stage the re-enrolment for a future academic year may be refused.

Procedures for exclusions are detailed in Appendix A

In the event of a temporary exclusion the student will be interviewed on their return to agree a plan moving forward to reintegrate the student into College and reinforce the College's expectations regarding behaviour. This will be with members of the SLT and may involve parents.

## **4. Issues Relating to Misconduct Not Specifically Course Related**

- 4.1** Section 1.6 outlined examples of misconduct which WILL lead to involvement in disciplinary procedures and which in turn could result in temporary suspension, permanent exclusion from the College and/or criminal proceedings.

### **PROCEDURE**

#### **4.2 Student Admits Offence**

- An initial investigation by a member of the Senior Leadership team which will include taking a written statement from the student involved in the misconduct and from anyone else involved in the incident/ witnessed the incident.
- If the student admits the offence, then the matter is reported to the Assistant Principal (Guidance and Support).
- The Assistant Principal (Guidance & Support) will see the student. It would be usual for the student to be asked to go home at this stage (parent/guardian will be informed that this is happening) and to return at an agreed time with a parent/guardian. This provides a 'cooling off' period for all involved and also enables College to examine full facts and any extenuating circumstances.
- A meeting of the Principal and the Assistant Principal (Guidance & Support) along with student and parent/representative will take place as soon as is feasible after the event.
- The Principal will take appropriate action with regard to the severity of the incident and the safety of people and property within the College.
- Where students are involved in criminal activities or are suspected of having broken the law, the police may be involved.

#### **4.3 Student Denies Offence**

- An initial investigation by one of the College Management team which will include taking a written statement from the student involved in the misconduct and from anyone else involved in the incident/ witnessed the incident.
- If the student denies the allegation, then the matter should be referred on to the Assistant Principal (Guidance and Support)
- A formal investigation should be carried out as directed by the Assistant Principal (G&S)/Principal. The Principal will nominate a member of the Senior Leadership Team to investigate the allegation and produce a report before any further disciplinary action is taken. The student will be told clearly what is being alleged, and will have the opportunity to answer any allegations. Statements will be taken from witnesses as soon as possible after the incident.
- It would be usual for the student to be asked to go home at this stage (parent/guardian would be informed that this was happening) and to return at an agreed time with a parent/guardian. This provides a 'cooling

off' period for all involved and also enables College to examine full facts and any extenuating circumstances

- Depending on the nature of the misconduct, the offence may be reported immediately to the Principal and the process will move immediately to Stage 4 of the procedure. The Principal will take appropriate action with regard to the severity of the incident and the safety of people and property within the College.
- Where students are involved in criminal activities or are suspected of having broken the law, the police may be involved.

## **5. ALTERNATIVE PROCEDURES IN CASES OF SERIOUS MISCONDUCT**

**5.1** There may be cases of misconduct that, as defined either in terms of the 'act' or the 'intent', are deemed to be 'so serious' that exclusion without prior warning will take place

**5.2** In cases of serious misconduct a member of the Senior Leadership Team may tell a student, (pending further enquiries) to leave the premises immediately. The student must be told when to return to College and to whom and where they should report

This will be confirmed by letter/phone call to parents/guardians.

**5.3** The member of the Senior Leadership Team involved must report this action to the Principal who will make arrangements for an investigation to take place.

## **6. APPEALS**

**6.1** As stated under Sections 3 and 4 above, failure to keep to the student contract, unacceptable behaviour, and incidents of serious misconduct could lead to disciplinary proceedings, which could result in short term suspension or permanent exclusion from the College. Students on a final contract with the College have signed to say that failure to keep to the terms of the contract means they have chosen to curtail their course at College and have left of their own accord.

**6.2** It is College policy to support all students with their studies at College and a decision to exclude will only be taken:

- in response to serious breaches of the College's disciplinary policy;

or

- if allowing the student to remain in College would seriously harm the education or welfare of the student or others in the College.

**6.3** Because of the gravity of exclusion as a sanction, before reaching a decision to exclude, the Principal will:

- consider all the relevant facts and firm evidence to support the allegations made, including statements from witnesses, and take into account the College's policy on equal opportunities.
- Allow the student to give their version of events.

- check whether an incident appeared to be provoked by racial or sexual harassment.
- If necessary consult others, without involving anyone who may later take part in any appeal hearing.
- for students under the age of 18, inform parents/guardians as appropriate.

**6.4** Exclusion may be for a short-term period or permanent, depending on the seriousness of the incident.

#### **6.5** Short Term Exclusion

Short-term exclusions will be for the shortest time necessary, to avoid the student's unnecessary absence from studies and to avoid any re-integration issues.

In cases of more than a day's exclusion, unless permanent, work will be set and marked by the College.

#### **6.6** Permanent Exclusion

A decision to exclude a student permanently is a serious one, and is usually the final step in the process of dealing with disciplinary offences, after other strategies have been tried and failed. Some offences may lead direct to permanent exclusion.

The procedure for excluding a student, and handling any subsequent appeal, are provided in at Appendix A, part I.

#### **6.7** Drugs-related Exclusion

In most cases, drugs-related offences will lead to exclusion. The seriousness of the offence will determine whether an exclusion is to be temporary or permanent, and any decision to exclude will take into account the needs of individuals involved, as well as their peers, both in terms of their educational and personal development, and in terms of recognising the permanent exclusion may make a young person more vulnerable to exposure to drugs.

### **7. APPEALS**

**7.1** All students have the right to appeal against any sanction(s) imposed as a result of the disciplinary procedure.

**7.2** Appeals should be made in writing to the Principal in the case of written or verbal warnings, but to the Chair of Governors in case of exclusion. Any appeal should be lodged within 10 working days.

**7.3** All appeals will be subject to a thorough examination of the facts of the issue, and the student and parents/guardians (depending on whether the student is 18 or over) will be provided with an opportunity to put their case, with 7 days notice of the time and venue of any hearing.

- 7.4** In the case of an appeal against exclusion, the Corporation will appoint an Appeal Committee, comprising Corporation members, to hear the appeal. Details are provided in Appendix A, part II.
- 7.5** The outcome of any appeal hearing will include a decision with reasons, and be issued within five working days of hearing the case.
- 7.6** The decision of Corporation is final.

**I. PROCEDURES FOR EXCLUDING A STUDENT**

1. Where a student is to be excluded, parents or guardians will be notified immediately. The initial contact will be made, where possible, by telephone, followed up by a letter issued on the day the decision to exclude is made.

The letter regarding the exclusion, whether short term or permanent, will explain:

- a. Why a decision has been made to exclude the student, and the steps taken to try to avoid exclusion, if appropriate.
- b. The date the exclusion takes effect, and in the case of short term exclusion, the length of exclusion and the date/time the student should return to College.
- c. In the case of short term exclusion, the arrangements for enabling the student to continue their studies, including setting and marking work.
- d. The student's parent's/guardian's right of appeal to the Chair of Governors, who to contact, and time limits.

**II. THE APPEAL COMMITTEE**

2. In the case of an appeal against a short term or permanent exclusion, the Corporation will appoint an Appeal Committee, comprising Corporation members, to hear the appeal. The Appeal Committee will meet within 15 working days of the date the notice of appeal is lodged. The Committee will consider a written statement prepared by the Principal, the notice of appeal and any other written and oral representations presented.
3. A meeting of the Appeal Committee will be held to hear the appeal. The meeting will follow a set procedure, details of which will be sent to the appellant. The Principal will be in attendance, and may make oral representations, together with other relevant staff. The student will be allowed to present their case if they wish to do so, but the parent/guardian remains the appellant unless the student is over the age of 18.
4. The student and/or parents/guardians will be given 7 working days notice of the time and venue of the hearing.
5. The Appeal Committee will consider.
  - a. The extent of the student's responsibility for the breach of conduct.
  - b. The broader interests of other students and staff in the College, as well as those of the excluded student.
  - c. The College's published discipline policy;
  - d. Where other students were involved in the same incident and were also disciplined, the fairness of the exclusion in relation to the sanctions imposed on the other students involved.
  - e. Whether the exclusion is a reasonable response to the particular breach of conduct.
  - f. Any mitigating circumstances.

6. The outcome of the Appeal Hearing will be issued the Principal, the parent/guardian and/or the student in writing within 5 working days, giving the reasons for the decision.
7. The decision of the Corporation is final.