

Policy/Procedure Name:	College Student Disciplinary Policy and Procedure
Policy/Procedure Number:	SMT034
Date of Approval:	15 th September 2011
Effective Date:	Sept 2011
Revised Date:	December 2023
Review by Date:	Sept 2025
Policy/Procedure Author:	Head of College
Policy/Procedure Owner:	Principal
Management Committee Approved By:	Senior Management Team
Governor Committee (where appropriate) Approved By:	Not Applicable
For Action By:	All Staff
For Information to:	All Students All Parents
Approval requested to upload on the Treloar's Website:	Yes ☐ (tick if requested)
Date of Policy Equality Impact Assessment:	12 th February 2024
Impact Assessment was carried out by:	Lorna Woodcroft

COLLEGE STUDENT DISCIPLINARY POLICY AND PROCEDURE

(Including the management of poor student performance)

POLICY

The purpose of this policy is to support all members of the Treloar's community to thrive and work in a safe and positive environment. Our approach to behaviour is rooted in developing positive relationships and endeavouring to understand the holistic needs of our students. We know that at times our efforts to support and intervene are unsuccessful for a variety of reasons, in this event or where a more serious matter arises this policy and procedure will come into effect. This policy should be understood in relation to SMT 012 Treloar's [Supporting Positive Behaviour Policy](#) to recognise our organisational approach to conduct

Owing to their complex needs, our young people sometimes behave in ways that others can experience as challenging or don't fully understand. On some occasions, these expressions may be perceived as dangerous and have the potential to result in harm to the person displaying the behaviour, their peers, those working alongside them or the public. On other occasions the behaviour may constitute partial or even complete withdrawal, ongoing sadness and lack of engagement in education or other activities within the home or outside the provision.

It is essential that the College Student Disciplinary Policy and Procedure is applied in a fair way. In particular it is very important that staff give due regard to, and do not discriminate against students in the application of the procedure in terms of, issues related to any of the protected characteristics under the equality Act 2010.

Where an escalation of behaviour has occurred over time it would be expected that there is evidence of multi-disciplinary team input to address these concerns, updates made to behaviour and emotional support plans and a student support and intervention action plan (SSIAP) produced by the MDT.

Where a student displays behaviours which are a significant departure from our expectations and values then the informal process of this disciplinary procedure will be usually applied. Where a student displays behaviours which are a severe departure from our expectations and values, or their actions may have broken the law, then the formal process of this disciplinary procedure will be applied.

For these purposes we define significant as relating to it's importance and size and severe as relating to its potential risk or actual impact on the students or others.

We clearly differentiate between conduct which is beyond the student's current locus of control and conduct which is within their power to change with appropriate support in place. We will work with all our students to ensure the right support is in place for them to positively engage in their learning and life at Treloar's. This is not designed as a punitive process but to ensure we draw together lines of support and the student is aware of the expectations on them to be a member of our community.

Please note that the procedure allows action to be taken at a number of levels:

- recorded verbal warning
- first written warning)
- final written warning) disciplinary hearing required
- suspension)
- exclusion)

The level used should be determined by the seriousness of the case/the student's previous record. There is NO need to progress through each stage.

Note:

- (i) For students under the age of 18 the student's parents/guardians must be kept informed of the processes.
- (ii) For students where their behaviours are known, staff are to refer to the students Behaviour Support Plans and/or sought advice from behaviour leads and Head of Safeguarding.

PROCEDURE

A concern is raised regarding a student's conduct. This should be directed to the student's tutor or progress and transition co-ordinator in the first instance. The Tutor and PTC should review this concern against current strategies employed to support. If felt that it meets the threshold of significant or severe (as described above) then this must be flagged to the Head or Deputy Head of College.

Where this encompasses a safeguarding concern then the head of safeguarding should also be informed.

For a significant concern the informal process will be followed, for severe concerns the formal process will be followed. There may be instances of repeated significant concerns where the formal process will be used. Following any concern being raised the MDT should review the behaviour and emotional support plan for the student with support from the college behaviour lead.

Informal Process (responding to significant concerns)

- The HOC or DHOC will agree an informal meeting with the student and Tutor or PTC. (It may be necessary to include other members of the MDT as appropriate) The student can request to be supported by a specific member of staff or family member. This would not usually be a student peer.
- The meeting will explore the circumstances that gave rise to the concern and give the student the opportunity to give their full account.
- The meeting will give rise the creation of an SSIAP which will include clear support and strategies to enable the students conduct to develop. This will be reviewed at least every 2 weeks for the first month.
- The student will be given clear guidance on what needs to change and the support they will be given to enable that. Clear timeframes will be laid out for review and for changes in conduct to be observed.
- The student may receive a formal verbal warning (see Appendix 1), which shall include the reasons for the warning, the required improvements in conduct or performance and the consequences of

further misconduct (if applicable); such a warning should be given after considering any explanation sought from the student.

- If after agreed timeframes the student has been unable to demonstrate changes to their conduct then it may escalate to the formal process.

Formal Process (relating to Severe Concerns)

Where a student displays behaviours which are a severe departure from our code of conduct and values then these should be reported immediately to the Head of College, Head of Safeguarding or on call residential manager. To ensure student safety it may be necessary to implement a temporary on or off-site suspension whilst further investigation takes place. This should be agreed by HOC and HOS or if an evening or weekend relevant on call managers will make the initial decision and review with HOC and HOS at the earliest opportunity.

In all cases a suspension must be confirmed in writing to the student and to his/her parents, and the funding agency.

The Head of College will hold a formal disciplinary meeting with the student. The meeting will be held by the Head of College and another member of the Senior Management Team.

The student must be given 5 working days' notice of the meeting, together with an indication of the nature of the complaint against them, a summary of the evidence and their right to be accompanied by a friend/student representative and to submit written evidence and/or call witnesses.

If appropriate, a student's parents will be notified of this meeting, and may attend if they wish. The student's social worker would also be notified

Ahead of the meeting any relevant witnesses will be spoken to and a clear record of any evidence taken.

The student and their representative should have an opportunity to respond to the concerns raised.

The outcomes of the meeting may be to

- dismiss the case against the student

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- issue a first or final written warning
- suspend the student for a set period of time
- exclude the student

In all cases that do not result in exclusion an SSIAP will be produced following the concerns raises to ensure support is given to the student to improve their conduct.

A student who is recommended for exclusion will be informed in writing of the grounds for this recommendation within 5 working days of the hearing and a copy will be sent to his/her parents and Social Worker. The student will also be informed of his/her right of appeal to the Principal.

Notes:

1 **Precedence**

In cases where staff and student disciplinary actions coincide, the staff disciplinary action takes precedence and must be resolved before any student disciplinary action.

The decision whether to issue a first or final written warning, to suspend the student, or to make a recommendation for exclusion is to be determined by the seriousness of the case, by whether any warnings related to similar issues have been previously given and by whether the student has met targets previously established.

Notification of the decision of the disciplinary hearing is sent to all parties within 5 working days of the hearing and a record of the outcome of the hearing (see Appendix 3) shall be placed on the student's file and shall remain there for a period of two terms at the end of which, in the case of a written warning, it shall be deemed to have expired.

In the event of a recommendation for the exclusion of the student, the student has a right of appeal. The Principal or a panel of Senior Managers that they convene will hear any appeal the student or the parent has against exclusion.

In the event of an appeal the student must notify the Principal of the grounds and brief particulars of the appeal. The appeal will be heard within 10 working days of receipt of notice of an appeal. If appropriate, a student's parents will be notified of this meeting, and may attend if they wish. The student will be given at least 5 working days' notice of the appeal interview, together with an indication of their right to be accompanied by a chosen representative.

At the appeal interview, the student will explain the grounds of the appeal. The Head of College and Principal who made the recommendation to exclude the student will be asked to respond to the appeal and explain the reasons for the recommendation. The appeals panel may ask questions of the student and the Head of College and Principal, and will then consider whether to allow or dismiss the appeal. Witnesses will not normally be asked to attend except in relation to any relevant new evidence, which has come to light since the disciplinary hearing. If the appeal is allowed, the panel may decide that disciplinary action lesser than exclusion should be taken, including a period of suspension. The panel may also decide that no further disciplinary action should be taken. If the appeal is dismissed, the decision to exclude will stand. Within 5 days of the appeal interview, the final decision by the panel will be confirmed in writing to the student.

Policy/Procedure Communication and Implementation

Action Plan – Amend and add to as appropriate

	Action	Responsibility
1	Ensure that all new employees, staff and volunteers are made aware of the policy, understand it, and know where to access a copy and where to access the related procedures.	Deputy Head of College Head of College Principal
2	Ensure that all managers, employees and volunteers of Treloar's have access to the related procedures.	All Managers
3	Ensure that all new employees, staff and volunteers know their responsibilities, and receive training in carrying these out.	All Managers

Links to other related policies and procedures: –

- Supporting Positive Behaviour Policy
- Anti-Bullying Policy
- Peer on Peer Abuse-Prevention and Response policy
- Safeguarding Policy
- Iris Policy
- Concerns and Complaints Policy
- Use of Restraint Policy

IMPORTANT NOTES:

It is essential for those with designated responsibilities to familiarise themselves with the sources of information, referred to above.

Policy documents describe mandatory minimum standards and will be subject to audit and review. Line managers are required to ensure suitable and sufficient arrangements are in place to meet policy requirements, including the provision of information and instruction to staff.

STUDENT DISCIPLINARY PROCEDURE
RECORDED VERBAL WARNING

Student's Name:

School / College

Course:

Personal Tutor:

Date:

Reason for recorded verbal warning:

Action Required by Student:

Student's Signature: -----

Head of College Signature: -----

**a copy of the Student Disciplinary Procedure
Recorded Verbal Warning (previous page) to this letter**

TRELOAR'S HEADED PAPER

Dear Parent/Guardian

This is to notify you that your young person has been placed on the first stage of the Treloar's formal disciplinary procedure.

Further concerns of this type could result in a request for your presence at a formal disciplinary hearing.

We will complete a Student Support and Intervention Action Plan to ensure we coordinate support around the student to enable them to make the necessary changes to their conduct. This is to ensure they can maximise their learning and be positively contribute to our community.

All the best

(Name)

Head of College

Contact Telephone Number: _____

STUDENT DISCIPLINARY PROCEDURE **REPORT FOR A DISCIPLINARY HEARING**

To: _____ (Teacher)

Student's Name: _____

Course: _____

Personal Tutor: _____

Date: _____

Please provide a written report on the above-named student.

Attendance:	
Punctuality:	
Commitment to Learning:	
Attainment:	
General Comments:	

Teacher's Signature:

RECORD OF DISCIPLINARY HEARING

Student's Name:	_____
Course:	_____
Personal Tutor:	_____
Date:	_____
Those present at hearing:	_____

Outcome of Disciplinary Hearing:

Student's Signature: _____

Principal's Signature: _____

COLLEGE STUDENT ACTION PLAN

Student: **Tutor :**.....

Course: **Date:**.....

Purpose of action plan

Discussion notes:

Planned action (including SMART targets + review date)

Record of Review

Student's Signature: **Teacher's Signature:**.....