

CONDUCT – STUDENT POLICY & PROCEDURE

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SCOPE

All departments & learners except 14-16 learners at Dudley College of Technology are in scope. Learners on higher education programmes accredited through a partner university should be dealt with using the relevant university procedures.

The College also reserves the right to take conduct action against learners engaged in off-site criminal activities which may pose a threat to staff, learners, the College or the wider community.

Rules and regulations are set out during introduction and or enrolment and learners will have agreed to the terms of the Code of Conduct. This document must be uploaded to the learners ILP.

PURPOSE

To ensure that student conduct is appropriate, and learners are supported to achieve a positive outcome. Wherever possible, Dudley College of Technology will seek to support learners to resolve difficulties and resolve issues so that conduct procedures are evoked as a last result. If a student's behaviour prevents others from feeling safe, secure, respected, and able to learn effectively this may result in immediate conduct action. This procedure is to ensure that all student misconduct is dealt with fairly and consistently and provide a clear procedure to both staff and learners.

All members of staff have a responsibility to act on concerns regarding student safety, behaviour or conduct in line with this policy.

INTRODUCTION

1. Wherever possible, the College will seek to support learners via a Positive Engagement Intervention to resolve difficulties and issues so that conduct procedures are invoked as a last result.
2. The learning contract process or support plan (please see section 5 below) may also be used prior to moving to a formal conduct process **or** used to provide support and encourage positive behaviour, at any stage in the conduct process. Where there has not been sufficient progress made at the end of an academic year, it will be at the Curriculum Manager's discretion, as to whether the contract or support plan is rolled into the next academic year. In cases where a learner is moving curriculum areas, it will be at the discretion of the receiving Curriculum Manager.
3. Learners should only be excluded from College if it is the conclusion of a Stage 3 Panel, the breaking of a Learning Contract that was set at a Stage 3 Panel Hearing, or directly by the Chief Executive and Principal or Vice Principals. If an exclusion is

made by Chief Executive and Principal or Vice Principals, this eliminates the right to appeal.

4. In some instances, our Designated Safeguarding Lead may issue a Safeguarding suspension notice and will investigate, which may result in the suspension being passed through to Student Conduct to co-ordinate the identified level of conduct.
5. The conduct process is followed:
 - When a student has continually failed to respond to the support and advice given by College staff – informal, formal, not met agreed targets etc.
 - When the student has received more than 3 notices of concern.
 - When the Student Code of Conduct has been broken.
 - When attendance falls below 85%.
 - When punctuality falls below 90%.
6. Parents/Carers of a student aged under 18 years old will be informed of all conduct matters. Once the student becomes 18, they may request parents are not informed. For all learners who have an EHCP, notification to parents will be decided on a case-by-case basis and safeguarding concerns, however, contact home is allowed up until 25 years old. The College reserves the right to inform parents/carers, even if over 18, under certain circumstances.
7. Learners who have been excluded will be flagged on the system by the Student Conduct Assistant (Prosolution) and permission to re-enrol must be sought from an Assistant Principal or member of the Senior Leadership Group.
8. Learners who were on a stage 3 during a previous academic year should be closely monitored by the curriculum area into which they enrol.
9. All written communication to students and parents/carers will be via Curriculum Administration Teams or Conduct Assistant.
10. Individual curriculum areas reserve the right to restrict certain activities for students who do not meet the expected standard of conduct, for example end of year trips and visits.
11. Where a learner has been on any level of conduct in a year, the Assistant Principal can make the decision to either continue this into the next academic year, or re-set and start the process. If continuing the Assistant Principal must clearly articulate the reason to the learner and log the conversation as a comment in the learners ILP in Pro Monitor. If the learner is moving curriculum areas, it will be the receiving Assistant Principal who makes the decision.

SPECIAL CIRCUMSTANCES

The conduct process shall consider the needs of specific groups of learners, for example vulnerable adults, children in care, care leavers, expectant and new parents, young carers and learners with special educational needs and disabilities.

Learners on 14-16 programmes are not subject to Dudley College of Technology conduct procedures. 14-16 Pathways Curriculum Manager should be notified of any safety, behaviour or conduct concerns. Where a 14-16 student has been excluded a fixed term 12-months exclusion flag will be placed on the system (Prosolution) and permission to re-enrol must be sought from an Assistant Principal or member of the Senior Leadership Group.

1. Informal – Personal Tutor Positive Engagement Intervention.

It is the responsibility of the course tutor to meet with the student to understand the reasons behind any notices of concern, less than 85% attendance and or less than 90% punctuality and identify and implement the support needed to overcome their barriers to learning. They will:

- Discuss the code of conduct, expectations and desired outcome.
- Ask student if there are any reasons why they are not meeting the code of conduct
- Agree targets for improvements.
- Agree how this will be monitored.
- Agree a review date that is no longer than 4 weeks.
- Discuss classroom management, support and guidance.
- Refer to the Youth Support Worker or Wellbeing Team
- Record intervention meeting, on student ILP.

Persistent non-attendance or continued poor behaviour will result in being progressed through the formal conduct stage(s).

Review meetings

Informal and formal stages should have a period of restorative improvement. The outcome of the review meeting should be recorded on a learner's ILP. This **may** result in:

- No further action as targets have been met, but a further monitoring period may be in place.
- The student should receive further support.
- The student will be issued with amended/updated targets on a Learning Contract or Learner Support Plan. This must be uploaded to the learner's ILP.
- The student should be progressed through to the next stage of the conduct process.
- Where there is a safeguarding concern, the student could be recommended for exclusion from the College.
- If agreed attendance or behaviour outcomes are broken before the agreed review date, the College reserve the right to escalate to the next stage of the procedure immediately.

The formal conduct procedure is in three distinct stages:

1. Stage 1 – Personal Tutor Conduct Support – following a Positive Engagement Intervention

- 1.1 The member of staff who has encountered unacceptable attendance (of less than 85% and or punctuality less than 90%) or conduct, informs the student's personal tutor and logs the incidents on student's ILP (and CPOMS, where appropriate).
- 1.2 There have been more than 3 notices of concern on a learner's ILP.
- 1.3 Personal tutor investigates, carrying out interviews as appropriate. This **may** result in:
 - Oral warning, noted on the student's ILP.
 - Referral for support and/or a Support Plan put in place Support Plan to be uploaded onto the learner's ILP on ProMonitor.
 - Agree a review date that is no longer than 4 weeks.
 - Copies of notice of concerns/attendance issued home (learners under 18 or EHCP).
 - A Learning Contract to monitor and review student's progress. This must be uploaded to the learner's ILP and review dates added and completed.
 - Possible Progression through the conduct stages.
 - Recommendation for withdrawal.
 - Referrals to the Youth Support Worker or Wellbeing Team are appropriate.
- 1.4 The details of the meeting will be recorded on the ILP: Learner Meetings/Stage 1.
- 1.5 An outcome letter will be issued to parent/carer following the stage 1 meeting confirming what targets have been agreed and when a review date is scheduled.
- 1.6 Where a student is under 18 years of age parents/carers will be informed, up to 25 years old for a learner who has an EHCP.
- 1.7 Employers will be informed if they are sponsoring the student's training (including apprentices).
- 1.8 If a learner has a purple heart report non-attendance immediately to safeguarding – safeguarding@dudleycol.ac.uk and notify them through CPOMS of both informal and formal conduct action taken, targets agreed, outcomes etc.
2. **Stage 2 – Conduct Intervention – following a Stage 1 Conduct Intervention and review.**
- 2.1 Where a student's unacceptable attendance and/or conduct continues, the student will be interviewed by the Curriculum Manager/Curriculum Leader and will be given the opportunity to put his/her side of the case. Other parties will be interviewed as appropriate.
- 2.2 This **may** result in:
 - Referral for support and/or a Support Plan Support Plan to be uploaded to the learner's ILP on ProMonitor.
 - Agree a review date that is no longer than 4 weeks.

- Copies of notice of concerns/attendance issued home (learners under 18 or EHCP).
 - A Learning Contract. This must be uploaded to the learners ILP and review dates added and completed.
 - Possible Progression through the conduct stages.
 - Recommendation for withdrawal.
 - Referrals to the Youth Support Worker or Wellbeing Team are appropriate.
- 2.3 The details of the meeting will be recorded on the ILP: Learner Meetings/Stage 2.
- 2.4 An outcome letter will be issued to parent/carer following the stage 2 meeting confirming what targets have been agreed and when a review date is scheduled.
- 2.5 Where a student is under 18 years of age, parents/guardians will be invited to attend the meeting, up to 25 years old for a learner who has an EHCP. When a student is in care their social worker and a representative from Virtual School, will be invited.
- 2.6 Employers will be invited to attend the meeting if they are sponsoring the student's training (including apprentices).
- 2.7 If a student is given 2 opportunities to attend and they do not, the Curriculum Manager reserves the right to collect them from lesson, when they are in college and inform parents/carers of the outcome. If a student is not attending a contract can be put in place without the student being present.
- NB Should a student refuse to participate in the College's conduct process or accept the outcome then the conduct process may be escalated to the next stage.*

3. Stage 3 – At Risk Panel Hearing – following Stage 1 and 2 processes or Gross Misconduct

3.1 Definition of Gross Misconduct (Police may be notified of the incident, if illegal activity is involved)

Gross Misconduct includes, but is not limited to, behaviour such as: -

- Records of proven persistent breaches of the Code of Conduct or Learning Contract.
- Threatening, serious disruptive or aggressive/violent behaviour (or inciting others), including the carrying of “offensive weapons,” bullying (including cyberbullying and Child on Child/Peer on Peer) and any discriminatory behaviour.
- Physical or verbal abuse towards members of staff
- Behaviour which is likely to cause accident or injury to themselves or others.
- Damage to buildings, property, vehicles etc.
- Any activity involving the misuse of drugs or alcohol.
- Promotion or the selling of drugs.
- Sexual misconduct.
- Gang affiliation which may place any member of the College’s community and/or the College’s reputation at risk.
- Any activity which threatens the health and safety of others e.g. setting off fire alarms, hoax bomb threats or other false emergency alarms.
- Any activity intended to spread an illness or make others believe that is the intention e.g. coughing or sneezing directly at an individual, spitting or deliberately gaining entrance to the buildings whilst displaying viral symptoms.
- Theft, fraud or other criminal acts e.g. off-site criminal activities which may pose a threat to staff, learners, the College or the wider community.
- Bringing the College into disrepute.
- Brining a non-college person onto College premises.
- Giving your College ID pass to a non-college person to allow them to gain entry.

3.2 Action following gross misconduct

Suspensions

- 3.2.1 When an incident of gross misconduct occurs the student will be immediately suspended by the Campus Co-ordinator, Duty Manager or member of the Senior Leadership Group. The student should not return to College until an investigation by the Curriculum Manager and a conduct meeting has taken place, by the Curriculum Manager. The student will be provided with a copy of their notice of suspension which outlines the process. The College reserve the right to not suspend if there are mitigating circumstances, for example, there are Safeguarding concerns if the student is out of College, which may be those with an Education Health and Care Plan and Care Experienced learners. The College will also take into consideration before suspending, the effect that this could have on the student’s progress, for example, if they are a few weeks away from completing their programme, or it is in an exam period.

The student will be advised they are being suspended pending an investigation. See Guidelines for Assistant Principals/Duty Manager/Campus Co-Ordinator & Curriculum Managers on Suspension Processes and Information required for Stage 3 Panel Hearing.

At the time of suspension, the member of staff issuing the suspension should request that the student completes a statement, ensuring that the student's desired outcome is documented see Student Conduct - Statement. The member of staff who is suspending should also obtain statements at this time from any relevant witnesses, staff and learners.

On the Duty Manager report it is the Duty Manager's responsibility to record that they have advised the student of their right to have a representative present at any conduct meeting, any representative's details should be recorded or record that the student declined this option.

Whilst suspended learners will receive an 'S' register mark that will not affect their attendance percentage. Student Conduct Assistant to notify Timetabling.

- 3.2.2 The student **must be** informed verbally, and a Student Notice of Suspension completed immediately giving the reason for suspension. Where this is completed over the phone a copy of the notice of suspension should be posted or emailed to the learner and parents/carer and College identity card deactivated by Student Conduct or Campus Co-Ordinator. Where a face-to-face suspension takes place College identity cards should be confiscated at the time of suspension by the member of staff issuing the suspension and passed to the Student Conduct Assistant who will deactivate the card and notify Customer Services, Security, and Student Union.

The notice of suspension should be uploaded onto the learners ILP.

- 3.2.3 The member of staff issuing the suspension should ascertain if there is any CCTV footage that may assist the subsequent investigation. Any relevant information collated must be passed to the relevant Curriculum Manager.
- 3.2.4 Where a student is under 18 years of age parents/guardians will be informed of the suspension by the member of staff who is issuing the suspension before the learner is allowed to go home. Contact should be made home to any learner who has an EHCP up to the age of 25 years old. When a student is in care their social worker and a representative from Virtual School, will be invited.
- 3.2.5 Employers will be informed of the suspension by the Curriculum Manager if the employer is sponsoring the student's training (including apprentices).
- 3.2.6 Before a suspension is issued the member of staff issuing the suspension will check to see if the student has an EHCP, Care Experienced or is known to Safeguarding and inform either team accordingly.
- 3.2.7 The relevant Assistant Principal and Curriculum Manager will investigate the suspension to decide whether a Stage 3 Panel Meeting is appropriate, having

reviewed the information collected by the member of staff issuing the suspension and having ascertained whether there is any further evidence to collect. If it has been identified that the suspended student has an EHCP, is a care experienced student, is pregnant or is known to Safeguarding, the Curriculum Manager will consult with the EHCP Coordinator and/or Safeguarding, as appropriate, to ensure any pre-disclosed needs have been supported adequately, before making a decision on any further action. This decision must be made as soon as possible after the suspension and their Curriculum Manager report be given to the Student Conduct Assistant at least 48 hours prior to the meeting.

3.2.8 If a suspended student has a scheduled exam that they need to attend during their suspension period, the Curriculum Manager will contact the student to make any necessary arrangements.

3.2.8 Stage 3 Panel meetings will only be held during term time.

3.2.8 If the evidence is insufficient to support a Stage 3 hearing the Assistant Principal and Curriculum Manager should:

- 1) Advise the conduct team of the decision conduct@dudleycol.ac.uk.
- 2) Notify learners and parents and, where appropriate, employers.
- 3) Make arrangements for the student to return to College.
- 4) Return the ID card to the student.
- 5) If appropriate intervention and support including issuing a learning contract should be agreed on the student's return and uploaded to their ILP.
- 6) Update the ILP, Prosolution and CPOMS. Student Conduct Assistant.
- 7) Request that the conduct team remove any flag on ProSolution.

3.2.9 If there is sufficient evidence to support a Stage 3 Panel Meeting the Curriculum Manager will provide the Student Conduct Assistant with a summarised report. Guidelines for Assistant Principals/Duty Managers and Curriculum Managers on Suspension Process & Information Required for Stage 3 Panel Hearing.

The report should contain sufficient information to assist the panel in reaching a decision (e.g. attendance, behaviour, witness statements, tutor statements, timelines, duty log information). The Curriculum Manager/Leader will present the issues at the Stage 3 Panel Meeting.

3.2.10 In certain circumstance the Vice Principal or Chief Executive and Principal can make the decision to exclude a student without going through the conduct procedure, this eliminates the option to appeal. The Curriculum Manager will start the withdrawal process off.

3.3 'Cooling off' suspensions – Learner sent home for the day

3.3.1 If the Campus Co-ordinator, Duty Manager or member of SLG is called to a situation where a full suspension is deemed not necessary, such as there is no further immediate risk of harm, the student may be given a 'cooling off' Sent Home

suspension, where they can return to College on an agreed day and time and meet with their personal tutor or the Curriculum Manager.

A Student Sent Home form will be issued to the student for the parent/carer at the time of sending home. This form should be emailed to conduct@dudleycol.ac.uk and uploaded to the learners ILP. For those under 18 or those with an EHCP up to 25 years of age (where appropriate), parents will be informed before learners are sent home.

The Personal Tutor and/or Curriculum Manager will contact them to arrange a meeting when they return to discuss the reason they had been sent home.

This **may** result in:

- Progression through disciplinary process.
- Referral for support.
- Agree a review date that is no more than 4 weeks.
- Copies of notice of concerns/attendance issued home (learners under 18 or EHCP).
- A Learning Contract. This must be uploaded to the learners ILP.
- A Support Plan. This must be uploaded to the learners ILP.

If a student receives 3 or more cooling off - Sent Home suspensions, they will go onto the formal conduct procedure.

3.4 Stage 3 Panel Hearings

- 3.4.1 The Panel Hearing will be organised by the Student Conduct Assistant. Notification of the Stage 3 Panel Hearing will normally be sent to the student's home address by first class post, by email or Teams communication. The Panel Hearing should be arranged promptly so that the suspension is for the shortest period of time.
- 3.4.2 Where the student is under 18 parents/guardians will receive notification of the Stage 3 Panel Hearing. If a student has an EHCP the College reserves the right to inform the parents/carers of the student up to the age of 25 years old. When a student is in care their social worker and a representative from Virtual School, will be invited.
- 3.4.3 Employers will receive notification if they are sponsoring the student's training (including apprentices).
- 3.4.4 The hearing will normally involve a panel of three staff, usually comprising of the Chair which will be an Assistant Principal or a Head of Learning, a Curriculum Manager or Curriculum Leader and a member of the Student Conduct Team. To protect all parties and ensure complete accuracy these meetings will be recorded.
- 3.4.5 The Curriculum Manager/Leader will present the issues from the summarised report at the Stage 3 Panel Hearing.

- 3.4.6 The student may be accompanied by up to two people, which can be parents/guardians/employers or other appropriate representatives, who are over 18. The student will be given the opportunity to state their side of the case. If the student has an EHCP the College will endeavour to provide a member of the Inclusion Team, as appropriate. An interpreter may be present if requested in advance.
- 3.4.7 Where a student fails to attend a hearing, an alternative date will be set. Should the student fail to attend the second scheduled hearing then the case will be heard in their absence. There is a waiting period of 15 minutes from the time of their appointment before the student is considered as did not attend. A contract or support plan can be put in place in the student's absence.
- 3.4.8 Where appropriate the Head or Deputy Head of Security will be invited to the Stage 3 Panel Meeting

NB – Towards the end of an academic year the stages and outcomes may vary, each referral and or suspension will be based on a case-by-case basis.

3.5 Outcomes

- 3.5.1 Panel decisions will be based upon the 'balance of probabilities.'
- 3.5.2 In making the decision as to whether or not a student should be allowed to return to (or continue at) the College, the panel should examine the relevant evidence thoroughly, this is particularly important if the student has displayed threatening or aggressive behaviour towards members of staff or other learners.
- 3.5.3 The panel may decide that:
- The case is unproven.
 - The student should receive the Learner Support Plan. This must be uploaded to the learners ILP.
 - The student will be issued with a Learning Contract. This must be uploaded to the learners ILP.
 - The student should be suspended for a further period of time.
 - The student should be recommended for exclusion/withdrawal from the College.
 - Towards the end of an academic year a decision may be made to complete work from home, or on a reduced timetable or to end the academic year early.
 - If the decision is to exclude the student, they will be informed of the decision in writing. The period of exclusion will normally be between 1 and 3 years but, could be made permanent. The Curriculum Manager will start the withdrawal process off if the student has been excluded.
 - Referrals to the Youth Support Worker or Wellbeing Team if required.
- 3.5.4 Where the student is under 18 years of age, the student's parents/guardians will be informed in writing of the panel's decision, if a student has an EHCP the College reserves the right to inform the parents/carers of the student up to the age of 25 years old.

- 3.5.5 Employers will receive written notification of the panel's decision if they are sponsoring the student's training (including apprentices).
- 3.5.6 The Student Conduct Assistant will ensure that the outcome is recorded on the ILP and CPOMS.
- 3.5.7 Following a Stage 3 Hearing the panel will decide which course of action is to be taken. This is to be given to the Student Conduct Assistant, with a rationale as to why this decision has been reached on the form Outcome of Stage 3 Panel Hearing. If the student is to have a Learning Contract the panel will set the targets to be included and these will be entered, by the Student Conduct Assistant, onto a Learning Agreement document that the Curriculum Manager/Leader can print and go through with the student at a meeting as they return to College. The Curriculum Manager/Leader may add to these targets. The Curriculum manager will liaise directly with the student with regards to their return date, if not decided in the Stage 3 Meeting. A review meeting should be arranged at the time when the learner agrees to the targets set – this should be no later than 4 weeks' time following their return.

Any learner who returns to College following a suspension and a Stage 3 Panel Hearing, who is placed on a Learning Contract will not have the right to appeal. Should the conditions of the learning contract be breached, and exclusion/withdrawal is recommended, a letter will be issued by the Student Conduct Assistant to advise the learner and parents/carer of why the decision has been made. The Curriculum Manager will start the withdrawal process.

3.6 Exclusion

- 3.6.1 Following the Stage 3 Panel Hearing, if the College decides that the student should be excluded, then the student will be informed of their right to appeal against the exclusion. They will be provided with information on the appeals process, see section 4 below. The Curriculum Manager will start the withdrawal process.

NB: A student should not be withdrawn until either the period of time has elapsed for an appeal, or the appeal outcome is known.

- 3.6.2 If the student is excluded and withdrawn the Student Conduct Assistant will "flag" the student on Prosolution and record on their ILP and CPOMs. This is to ensure that any re-enrolment is after the specified length of exclusion and an interview is conducted prior to being offered a place and where necessary learning contracts are issued at re-enrolment.
- 3.6.3 The Student Conduct Assistant or the Campus Co-ordinators will deactivate the ID pass.
- 3.6.4 In the best interests of the student's future career, if the student is under 20 years of age, a referral should be made to Connexions/Dudley Careers Service by the Student Conduct Assistant.

4. Appeal Against Exclusion

- 4.1 The student will have a right of appeal to the Chief Executive and Principal against exclusion. A notice of appeal must be lodged, in writing by letter or email, with the Chief Executive and Principal within 10 working days of the date of the exclusion notice and must give the grounds and brief particulars of the appeal. The recommendation will not be considered by an appeals panel until the expiry of the period for lodging the appeal. The Chief Executive and Principal may nominate a deputy to chair appeals, as and when necessary.
- 4.2 If a notice of appeal is lodged within the time allowed, an Appeal Panel will be convened. This panel will normally be chaired by the Chief Executive and Principal and will also involve two other senior members of staff who have not previously been involved with the case. The hearing will be arranged to take place within 21 working days of the notice of appeal being received. The student will be given at least 5 working days' notice of the time and place of the appeal panel and will be entitled to be accompanied by one other person whose identity must be made known to the Chief Executive and Principal at least 3 working days prior to the arranged appeal panel. (This person would not normally be a legal representative).
- 4.3 At the Appeal Panel, the student will be invited to explain the grounds of their appeal and to state their case.
- 4.4 The chair of the panel who made the recommendation for exclusion (or a nominated representative) will be asked to respond to the appeal and explain the reasons for the exclusion.
- 4.5 The panel may ask questions of the student and the chair of panel and will then consider whether to allow or dismiss the appeal.
- 4.6 Witnesses will not normally be asked to attend, except in relation to any relevant new evidence, which has come to light since the Stage 3 Panel Hearing.
- 4.7 If the appeal is successful, the appeals panel may decide that disciplinary action lesser than that recommended by the Stage 3 Panel should be taken (or may decide that no further disciplinary action should be taken). If the appeal is unsuccessful, then the exclusion will stand.
- 4.8 Within 5 working days of the Appeal Panel, the final decision of the panel will be communicated to the Conduct Assistant, who will send confirmation in writing to the student.
- 4.9 Conduct Assistant will liaise with the relevant curriculum area with regards to their return and any monitoring, as appropriate.
- 5. Those who have attended a Stage 3 hearing or those with poor conduct and attendance records.**

- 5.1 Learning Contract

The College underpins this with the 4As framework - Attendance, Aspirations, Attitude and Achievement. Learners' targets should meet these Foundations.

- 5.2 In making the decision as to whether or not a student should be allowed to return to (or continue at) the College, the person undertaking the decision-making role should examine the relevant evidence thoroughly and discuss the student in question with the relevant Curriculum Manager/Curriculum Leader/Personal Tutor/Student Conduct Assistant/Safeguarding; this is particularly important if the student has displayed threatening or aggressive behaviour towards members of staff or other learners.
- 5.3 Any student who has been excluded from the College but has been approved to return following appropriate advice and guidance **must** have a Learning Contract put in place. This must be uploaded to the learners ILP.
- 5.4 The Learning Contract may also be used as an intervention measure in cases when a student's behaviour raises concern, and there is agreement that the College's expectations of the student's conduct/performance are not being met by the student.
- 5.5 The Learning Contract is signed by the student following an interview with the tutor and/or Curriculum Manager, this should be emailed/posted home to parents and carers.
- 5.6 Once the Learning Contract has been agreed and uploaded the Student Conduct Assistant will arrange a conduct progress review meeting 2 weeks following the learners return date. The outcome of the review meeting should be clearly documented on the learners ILP.
- 5.7 Following a return from a Stage 3 Panel Hearing, any further breaches to the code of conduct or notice of concerns should be immediately reported to the Curriculum Manager and Assistant Principal, which could result in a decision to be immediately excluded being made, with no right of appeal. If it is decided to immediately exclude the Curriculum Manager/Leader is to contact parents of those under 18 to inform them of the decision and meet with the student to inform them. If a student has an EHCP the College reserves the right to inform the parents/carers of the student up to the age of 25 years old. Curriculum Manager informs the Student Conduct Assistant, who sends relevant letter to confirm.
- 5.8 Following a return from a Suspension/Stage 3 Panel Hearing, the Student Conduct Assistant will share information with the Safeguarding team where appropriate, by entering on CPOMs, notify Timetabling, Security, Customer Services and Student Union.
- 5.9 Tutors should ensure that copies of the completed Learning Contract are distributed as per the instructions on the learning contract footer.

A learner who is on a Learner Contract, can remain with agreed targets throughout different academic years. When breached this will be reviewed on a case-by-case basis to agree the level of disciplinary required.

The Student Conduct Assistant will notify Curriculum Managers/Leaders at the start of each academic year the learners who have been identified as being re-enrolled and have been progressed through to stage 3 of the conduct process and who should/maybe placed on a learning contract and monitored, with review dates to be arranged.

- 5.10 The College may also refuse learners admission to the College (or subsequently exclude them on a variety of grounds e.g. misrepresentation).
- 5.11 If a student refuses to agree to and sign their Learning Contract, the college reserves the right to withdraw the student from programme.

6. External Review - Office of the Independent Adjudicator for Higher Education

- 6.1 A Completion of Procedures letter signifies to the student that the College's internal procedure for reviewing and resolving student conduct (with regard to student non-academic misconduct) has been completed and should be sent to the student normally within 28 days of the College's final decision to reject a student conduct (non-academic misconduct) appeal. The letter will provide information about complaining to the OIA. Learners may request a Completion of Procedures letter if their appeal is upheld or partly upheld. The letter will provide information about complaining to the OIA.
- 6.2 Information about the OIA's procedures may be found at <http://www.oiahe.org.uk> or in the OIA leaflet 'OIA for learners'.
- 6.3 Learners wishing to submit a complaint to the OIA must do so within the timeframe set down in the Rules of the Student Complaints scheme. A complaint must be made in writing using the OIA complaint form.
- 6.4 Where a student requests a Completion of Procedures letter more than a calendar month after the decision letter, the time for bring a complaint to the OIA will normally run from the date of the final decision, rather than the date of the Completion of Procedures letter.
- 6.5 Contact details for the Office of the Independent Adjudicator are: Office of the Independent Adjudicator, 2nd Floor Abbey Gate, 57-75 Kings Road, Reading, Berks, RG1 3AB. Telephone: 01189 599813. E-mail: Enquiries@oiahe.org.uk.

7 Exceptions

- 7.1 If a student breaks the code of conduct within the first 6 weeks of a new academic year, the College reserve the right to withdraw the student, without going through the full procedure. This includes attendance, behaviour, attitude, commitment and any instances of gross misconduct.
- 7.2 The final decision to withdraw will be made by either an Assistant Principal, Vice Principal or Chief Executive and Principal.
- 7.3 The Curriculum Manager for the area and the Student Conduct Assistant will be informed via email and the Conduct Assistant will record this within the conduct

records and ensure a flag is put onto Prosolution, to state that the student cannot re-enrol without permission from Assistant Principal, Vice Principal or Chief Executive and Principal. The Curriculum Manager will start the withdrawal process.

- 7.4 In making the decision as to whether or not a student should be allowed to return to (or continue at) the College, the person undertaking the decision-making role should examine the relevant evidence thoroughly and discuss the student in question with the relevant Curriculum Manager/Curriculum Leader/Personal Tutor/Student Conduct Assistant/Safeguarding; this is particularly important if the student has displayed threatening or aggressive behaviour towards members of staff or other learners.
- 7.5 Any student who has been withdrawn during the first 6 weeks from the College but has been approved to return following appropriate advice and guidance must sign a Learning Contract
- 7.6 The Learning Contract is signed by the student following an interview with the tutor and/or Curriculum Manager, this should be emailed/posted home to parents and carers. This must be uploaded to the learners ILP.
- 7.7 Once the learning contract has been agreed and uploaded the Student Conduct Assistant will arrange a conduct progress review meeting 2 weeks following the learners return date. The outcome of the review meeting should be clearly documented on the learners ILP.
- 7.8 Tutors should ensure that copies of the completed Learning Contract) are distributed as per the instructions on the learning contract footer.

ASSOCIATED DOCUMENTS

- Acceptable Use of IT – Students Policy
- Anti-Bullying & Harassment (Student) Procedure
- Behaviour Management (1416) Procedure
- Counselling - Staff & Students Procedure
- Drugs (Illegal and Prohibited Substances) Procedure
- Individual Learning Plan (ILPs) Procedure
- Learning Contract
- Learner Support Plan
- Safeguarding Policy
- Safeguarding – Children & Adults Procedure