

Student Disciplinary and Appeals Procedure			
Current Status:	Operational	Last Review:	August 2024
Procedure Owner:	Group Head of Pastoral Support and Administration	Next Review:	August 2025
Roles Responsible for Review:		Originated:	September 2018
Approved by:	SET Curriculum	Committee:	EEG Excellence Committee
Type of Procedure:	Staff	Quality Assured by:	

1. General/Summary

- 1.1. This procedure applies to all staff within Eastern Education Group (EEG) (at each relevant College including West Suffolk College, Abbeygate Sixth Form, and One Sixth Form).

2. Procedure

Inability to meet course requirements and College regulations.

- 2.1 It's important to differentiate between a student's genuine struggle to meet academic course requirements and a deliberate choice not to do so. For example, a student might start a course and later find they are unable to consistently meet the required academic standards.
- 2.2 Take action within the first six weeks to ensure the student's success by working closely with the Personal Progress Tutor, Head of Faculty, and the student to settle these cases and transfer the student to a more appropriate level or course.
- 2.3 For students under 18 at the start of the course, parents/carers should be involved in this process. Where employers are funding/supporting the student, they must be informed.

3. Principals

- 3.1 At all stages of this procedure the student must be advised of the nature of the concern with them and be given the opportunity to state their situation before any decision is made.
- 3.2 Where the student involved with this procedure has an identified additional learning need the Personal Progress Tutor must work in conjunction with SEND services to ensure that the student receives appropriate guidance and support during the implementation of the procedure.

- 3.3 Before issuing any warning, the student's electronic records must be checked for previous concerns on performance that may affect the level of warning to be given.

If a further offence is committed within a six-month period, the student will progress to the next stage of the Disciplinary Procedure.

- 3.4 No warning may be issued without a thorough investigation of the facts, to establish the nature of the allegation(s), gather evidence from relevant parties and review all information collected. A thorough investigation should be undertaken, with any evidence/statements collected in advance of a disciplinary meeting. All relevant facts must be gathered promptly but allowing sufficient time to gather relevant evidence and speak to relevant parties.
- 3.5 This procedure provides for a series of concerns of misconduct which, if not heeded, will lead ultimately to permanent exclusion. The exception to this is in the case of extreme misconduct in which case no warnings will be issued before the alleged breach is considered by the Head of Pastoral or Assistant Principal/Deputy Head of Centre.
- 3.6 Where there is a failure to meet academic requirements or disciplinary standards (as set out in the College rules and regulations), the following procedure will apply:

Initial Supportive Process - Positive Support Plan

- **Up to three Positive Support Plans** may be given by the staff concerned, dependant on the severity of the issues. Staff issuing the Positive Support Plan must print out a copy of it and give it to the student. For students who are under 18 (or under 25 if they are a vulnerable adult) at the start of their course, parents/carers will be sent a copy of the Positive Support Plan (usually by e mail) and will be contacted by the staff member in person or by telephone. Where an employer is funding/supporting the student, they must be informed. The staff member must agree an action plan review date and record this on the student's electronic record, following the issue of a Positive Support Plan. After this stage, or if the situation is considered sufficiently serious, the following procedure will apply:

4. Level 1 – Formal Verbal Warning

- 4.1 Given verbally, by the Teacher or other staff member concerned or the Personal Progress Tutor, for either:
- a) persistent failure to meet academic requirements, i.e., unsatisfactory standard of work, plagiarism, or
 - b) persistent unsatisfactory behaviour, e.g., absenteeism, lateness, indiscipline bullying etc.

The warning will be given verbally to the student and confirmed in writing via

the Dashboard. The parents/carers will be spoken to by the staff member in person or by telephone. The warning will be placed on their file in Dashboard/Onefile and for students who are under 18 (or 25 if they are a vulnerable adult) at the start of the course a copy will be emailed to a parent/carer. Where an employer is funding/supporting the student, they must be informed.

- 4.2 During the Level 1 formal verbal warning meeting, the student should agree an action plan, in order to guide them as to expectations of the College, and support will be discussed and put into place if necessary. The action plan and review date must be recorded within the warning.
- 4.3 After this stage, if the action plan is not followed or if the situation is considered sufficiently serious, the following procedure will apply:

5. Level 2 – First Written Warning

- 5.1 Given Verbally by the Head of Faculty, the Senior Personal Progress Tutor and followed up with a confirmation formal letter. This level of warning
 - a) draws attention to continued failure to meet academic requirements, or
 - b) sets out the circumstances of the complaint, e.g., repeated absenteeism, lateness, indiscipline.
 - c) and identifies the possible consequences if the issues continue.
- 5.2 The warning will be given verbally to the student and confirmed in writing via the Dashboard. The parents/carers will be spoken to by the Head of Faculty. The warning will be placed on their file in Dashboard.
- 5.3 For students who are under 18 (or under 25 if they are a vulnerable adult) at the start of their course, parents/carers will be invited to the meeting and subsequently sent a copy of the level 2 First Written Warning (usually by email). Where an employer is funding/supporting the student, they must be informed.
- 5.4 During the Level 2 First Written Warning meeting, the student should agree an action plan, with their Head of Faculty in order to guide them as to expectations of the College, and support will be discussed and put into place if necessary. The action plan must be recorded within the warning.

If a student complies with their agreed action plan and shows a marked improvement in meeting the expectations of the College over a twelve-week period, the Head of Faculty can deem the warning to be 'spent' and as such it is no longer active on the students record and is not taken into account if further concerns are necessary.

5.5 Copies of formal warnings must be sent to the appropriate Assistant Principal and the Head of Pastoral Care, the Personal Progress Tutor and the Course Director/Work-Based Learning Coordinator where there is one.

5.6 If a student subsequently fails to meet the required College standards, then they will automatically proceed to the next stage of the procedure.

6. Level 3 Final Written Warning

6.1 If a student still fails to meet the required standards of behaviour or academic performance the case will be referred to the Head of Pastoral Support. The Head of Pastoral Support will have discretion to use their judgement on the level of warning required. If it is deemed appropriate, the Head of Pastoral Support will issue a Level 3 Final Written Warning and inform the student that any further breaches could result in the student being excluded from the course and the College.

6.2 The warning will be given verbally to the student and confirmed in writing via the student's electronic record. For students who are under 18 (or under 25 if they are a vulnerable adult) at the start of their course, parents/carers will be invited to the meeting and subsequently sent a copy of Final Written Warning (usually by email). Where an employer is funding / supporting the student, they must be informed. The warning will be placed on their file in the student's electronic record.

6.3 During the Level 3 Final Written Warning meeting, the student should agree an action plan, with the Head of Pastoral Support and the teaching team in order to guide them as to expectations of the College, and support will be discussed and put into place if necessary. The action plan must be recorded within the warning.

6.4 Copies of Final Written Warnings must be sent to the appropriate Assistant Principal, Principal Sixth Form Provision, the Personal Progress Tutor, the Course Director and the Curriculum Director/Work-Based Learning Coordinator

6.5 If a student complies with their agreed action plan and shows a marked improvement in meeting the expectations of the College during the rest of the academic year the Head of Pastoral Support can deem the warning to be 'spent' and as such it is no longer active on the students record and will not be taken forward into a new academic year within the college.

6.6 If a student subsequently fails to meet the required College standards, then they will automatically proceed to the next stage of the procedure.

7. Level 4 Disciplinary Hearing

7.1 Students can only be dismissed from the College by the Assistant Principal/Deputy Head of Centre following a Level 4 Disciplinary Hearing. There

may be occasions when this will occur without any previous concerns being issued, for extreme misconduct, as outlined below.

- 7.2 Upon exclusion, the College card must be collected from the student by the Assistant Principal/Deputy Head of Centre at the time of dismissal. The Assistant Principal/Deputy Head of Centre must also confirm that all due fees have been paid, library books returned etc. In cases where a student is excluded from the College, an appeal may be made in writing to the Principal/Head of Centre.

8. Extreme Misconduct

- 8.1 In the case of alleged extreme misconduct, examples of which are given in Appendix C, the Assistant Principal will initiate an investigation by the appropriate Head of Faculty. A meeting will be arranged for the Assistant Principal/Deputy Head of Centre to hear the results of the investigation in the presence of the student concerned. If a level 4 concern is not warranted then stages 1 to 3 may be applied at the discretion of the Assistant Principal/Deputy Head of Centre, depending on the findings of the investigation and the offence committed.
- 8.2 If appropriate, a student may be suspended immediately by an Assistant Principal/Deputy Head of Centre or Head of Pastoral Support. In exceptional cases when an Assistant Principal/Deputy Head of Centre or Head of Pastoral Support are not in College, the student may be suspended by the Head of Welfare and Safeguarding. Parents/carers will be contacted to inform them of the circumstances of the suspension, and this will be confirmed in writing. A suspension would normally lead to a level 3 concern meeting. This will normally take place within ten working days of the completion of the commencement of the suspension. This suspension does not represent an implication of guilt and is a neutral act.
- 8.3 The disciplinary procedure may be implemented at any stage if the student's alleged conduct warrants such action.
- 8.4 If a student fails to attend any appointment regarding this procedure without valid reason, then the matter will be decided *in absentia*, and the outcome confirmed in writing within 5 working days of the date of the meeting.

9. Appeals Procedure

- 9.1 The student will have the right of appeal against exclusion to the Principal/ Head of Centre. Notice of appeal must be sent to the Principal/Head of Centre, within seven working days of receipt of the decision.
- 9.2 The letter of appeal must give brief particulars of the grounds for appeal.
- 9.3 If a notice of appeal is lodged within the time allowed an appeal interview with the Appeals Panel will be arranged to take place within fifteen working days of

the notice of appeal being lodged. The student will be given at least five working days' notice of the time and place of the appeal interview and will be entitled to be accompanied by a friend or relative.

- 9.4 At the appeal interview, the student will be invited to explain the grounds of the appeal and to state his or her case.
- 9.5 The Assistant Principal/Deputy Head of Centre who took the decision to exclude will be asked to respond to the appeal and explain the reasons for the decision. The Principal/Head of Centre may ask questions of the student and the Assistant Principal/Deputy Head of Centre and will then consider whether to allow or dismiss the appeal.
- 9.6 If the appeal is allowed, the Panel may decide that disciplinary action lesser than that recommended by the Assistant Principal/Deputy Head of Centre should be taken, including a period of suspension. The Panel may also revoke all disciplinary outcomes.
- 9.7 If the appeal is dismissed, the decision of the Assistant Principal/Deputy Head of Centre will stand. The Panel may not impose any greater sanction against the student than that taken by the Assistant Principal/Deputy Head of Centre.
- 9.8 Within five working days of the appeal interview, the final decision by the Panel will be confirmed in writing to the student by the Principal/Head of Centre.

10. Informing Key Staff

- 10.1 A student withdrawal form must be completed by the Person Progress Tutor formerly responsible for the student and processed in the usual way so that relevant staff members are notified of the exclusion.

11. Overview of Student Disciplinary Procedure

- 12. At each stage of the procedure, a copy of the Action Plan, plus any supporting documents, must be placed on the student's Dashboard. If the student is under 18 at the start of the course, the student's parent or carer must be informed or involved at each stage that a concern has been issued.

Warning	Form of Implementation	Parental Involvement	Appeal to:
<i>Informal</i> Positive Support Plan (PSP)	Issued by any member of staff for a failure to meet required academic standards or for unsatisfactory behaviour. Up to 3 may be given.	Copy of PSP sent and parent/carer informed in person or by telephone	n/a
<i>Level 1- Formal Verbal Warning (FVW)</i>	A verbal warning will be issued at a meeting and formalised in writing as a Formal Verbal Warning.	Parents/carers informed in person or by telephone. Copy of FVW sent.	n/a
<i>Level 2 - First Written Warning (FWW)</i>	A first written warning will be issued by Head of Faculty/Department/Subject at a meeting, to which the student's parents will be invited, if applicable.	Parents invited to meeting and copy of FWW sent	n/a
<i>Level 3 - Final Written Warning (FWW)</i>	A second, final written warning will be issued by the Head of Pastoral Support at a meeting, to which the student's parents will be invited, if applicable.	Parents invited to meeting and copy of FWW sent	n/a
<i>Stage 4 - Disciplinary Hearing</i>	In the event of a further breach of discipline the student will be required to attend a disciplinary hearing with the Assistant/Deputy Principal, to which the student's parents will be invited, if applicable. Referral to a Disciplinary Hearing will usually come with a recommendation for exclusion from the course and the College.	Parents invited to meeting and copy of findings sent	Principal Sixth Form Provision

Revision History – Student Disciplinary and Appeals Policy

Revision date	Reason for revision	Section number	Changes made
July 2023	Change to sat	Throughout	Change of person responsible
		All Appendices	Change of appendices letters
		Appendix H	removed
July 2024	Change to EEG Procedure	Throughout	Re-standardised to become EEG Procedure.
		Procedures 2.1	Wording edits to paragraph.
		Procedure 2.2	Wording edits to paragraph.
		Principals 3.2	Wording edits to paragraph to include SEND services.
		Principals 3.3	Wording edits to paragraph to amend academic year to six-month period.
		Principals 3.6	Addition of Initial Supportive Process – Positive Support Plan.
		Principals 4.1	Additional information added to paragraph two relating to warning information.
		Principals 5.3	Additional information added to paragraph relating to First Written Warning.
		Principals 5.5	Additional information added regarding copies of formal warnings.
		Principals 6.2	Additional information added to paragraph relating to students under 18.
		Principals 6.4	Additional information added to paragraph relating to copies of Final Written Warnings.
		Warning Chart	Implemented Form of Implementation Process Chart.

Appendix A

PROCEDURE FOR THE CONDUCT OF THE LEVEL 4 CONCERN MEETING

Any written evidence relevant to the allegation must be provided to the student and the Assistant Principal prior to the panel meeting. Such written evidence will be provided with sufficient time to enable the student to make reasonable arrangements for attendance and for the attendance of any witnesses. It is the student's responsibility to ensure that any witnesses called on their behalf are informed of the date, time, and venue of the hearing.

The student is entitled to be accompanied by relatives or friends but only one designated representative is permitted to speak on behalf of the student.

A note taker will be appointed as a neutral party to record the discussions and ensure adherence to the procedures.

The meeting will be chaired by an Assistant Principal who will ensure that all people required at the hearing are present, and that everyone understands the purpose of his/her presence.

The Head of Faculty (or their designate) will outline the evidence to hand, calling witnesses if appropriate and checking detail/accuracy/veracity as far as reasonable.

The Assistant Principal will question those providing the evidence.

The Assistant Principal will allow the student and/or their accompanying representative, friend or relative to question those providing evidence, and to raise queries concerning evidence provided.

The Assistant Principal will allow the student and/or their accompanying representative, friend or relative to reply to the allegations, calling witnesses as previously notified.

The Assistant Principal will summarise the case against the student.

The student or their accompanying representative, friend or relative to summarise the student's position/situation.

The Assistant Principal will postpone the hearing to resume later, in order to consider the arguments and make a decision on a balance of probabilities as to whether the allegation(s) is/are proved.

The Assistant Principal will reconvene the panel and inform the student verbally of their decision and reasons for that decision.

If the decision of the panel is to exclude then the Assistant Principal will indicate the means of appeal.

The Assistant Principal will close the hearing, confirming in writing the decision and reasons, giving details of the means of appeal, and enclosing an Appeals Form. If the

student is under 18, their parents/carers will also receive a copy of the written confirmation within 5 working days of the decision.

Appendix B

Examples of Misconduct

The following offences are examples that are normally regarded as misconduct:

- Refusal to comply with a request / instruction from a member of staff.
- Disruptive behaviour (including inappropriate use of mobile phones/media)
- Inappropriate behaviour to other members of the College community
- Unacceptable language
- Criminal offences including theft.
- Victimisation and bullying
- Harassment
- Substance abuse, including alcohol.
- Non-compliance with College Smoking Regulations
- Violence
- Breaches of Health and Safety
- Tampering with fire equipment
- Damage and defacement of property or resources
- Littering
- Vehicle offences including unauthorised parking.
- Misuse of IT equipment
- Supply of alcohol to students under 18
- Any conduct which denigrates the College reputation
- Condoning the gross misconduct of others

This list is not exhaustive.

Appendix C

Examples of Extreme Misconduct

The following offences are examples of offences that are normally regarded as extreme misconduct:

- Fighting. Physical abuse, or threats of physical abuse.
- A serious criminal offence or an alleged serious criminal offence committed at college, or at a work placement, or in a place not connected with the College if the offence would adversely affect the College's reputation or has a bearing on the life of the student at college (see appendix F).
- Harassment (including bullying & victimisation) committed at college, or at a work placement that contravenes the College's Equality Policy.
- Victimisation of a person who has complained of harassment.
- Non-trivial theft, or unauthorised possession of any property or facilities belonging to the College, or work provider, member of staff, visitor, or student.
- Serious damage deliberately sustained to the College, or work providers, property.
- Serious negligence which causes unacceptable loss, damage, or injury.
- Actual or attempted bribery, corruption, or fraud, including the deliberate falsification of College documents (which includes claims forms).
- Serious incapacity at timetabled activities as a result of being intoxicated by reason of alcohol or illegal drugs.
- Serious violation of the College's rules and procedures concerning health and safety.
- Malicious and serious interference with any item of fire protection equipment or systems.
- Deliberate misuse of the College's Information Technology (IT) systems (both hardware and software), for example: downloading socially unacceptable, or inappropriate, material from the Internet; computer hacking – of other sites and/or of the College systems; sending/posting inappropriate material, or messages, through the Internet, Intranet, or email systems.
- Possession of, use of or dealing in illegal drugs.

The above examples are not exhaustive, or exclusive, and offences of a similar nature will be dealt with under this procedure.

Appendix D - PROCEDURE FOR THE CONDUCT OF APPEALS

Introduction

An Appeal is heard by the Principal/Head of Centre and is normally administered by the Principal/Head of Centres Personal Assistant. The Principal/Head of Centre will act as Chair. The College position should be presented by a member of the original Disciplinary Hearing. The student may be accompanied by a friend or relative who is designated to speak on their behalf (hereafter referred to as the Representative).

Procedure

- 1 The Principal/Head of Centre, to introduce all people present at the appeal.
- 2 The Principal/Head of Centre, to ensure that all people required at the appeal are present, and that everyone understands the purpose of their presence.
- 3 The Principal/Head of Centre, to ensure that the student has an accompanying representative to speak on their behalf, if they so wish.
- 4 The Principal/Head of Centre, to invite the College representative to present the College position, calling witnesses if appropriate.
- 5 The Principal/Head of Centre, to question those providing the evidence for the College position.
- 6 The Principal/Head of Centre, to allow the student and/or their accompanying representative to question those providing evidence, and to raise queries concerning evidence provided.
- 7 The Principal/Head of Centre, to allow the student and/or their accompanying representative to reply to the allegations, calling witnesses as required.
- 8 The Principal/Head of Centre, to allow questions to the witnesses and/or the student.
- 9 The Principal/Head of Centre, to invite the College representative to summarise the situation against the student.
- 10 The Principal/Head of Centre, to allow the student or his/her accompanying representative to summarise the student's position.
- 11 The following options are available as a result of the Appeal:
 - a) To uphold the decision of the disciplinary hearing.
 - b) To overturn the decision of the Assistant Principal/Deputy Head of Centre and, where appropriate, commute that decision to that of a level 3 concern.
 - c) To decide that no action should be taken against the student.

- 12 The Principal/Head of Centre, to inform the student of the decision and reasons, and confirm it in writing.
- 13 The decision of the Principal/Head of Centre, is final and will not be revoked.