

STUDENT GUIDE TO DISCIPLINARY AND BEHAVIOUR MANAGEMENT

POLICY AND PROCEDURE



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**HERTFORD
REGIONAL
COLLEGE**

This procedure is intended to deal with disciplinary issues whilst students are studying at Hertford Regional College (HRC). The full Student Disciplinary and Behaviour Management Procedure can be found on our website.

There are four stages to the disciplinary procedure, building progressively towards possible exclusion. It is our intention that most problems will be resolved at the informal stage. Where necessary, however, each stage will be followed as set out in this document.

An exception to this will be where a learner is involved in gross misconduct* such as:

- physical violence or fighting
- abusive behaviour to staff
- behaviour dangerous to themselves, or to others
- wanton damage
- serious breaches of health and safety
- being in possession of, using or apparently attempting to deal in illegal drugs/alcohol
- carrying an offensive weapon
- theft of College property or property of any other person in College
- racist, sexist bullying or other harassing behaviour contrary to the College's Single Equality Scheme.
- serious misuse of College ICT facilities (this includes hacking into College systems, introducing viruses, altering or tampering with settings, the public display of pornographic or other inappropriate material or saving such items to disk or memory sticks)
- plagiarism, presenting another person's work as your own, copying, cheating or allowing another person to access your work for the purpose of copying it.

Informal Stage - Positive Engagement

A staff member will arrange a Positive Engagement Meeting, often this is the personal tutor but may be other members of staff. It is intended that most incidents are resolved at this stage. Any member of staff may deal with the incident. In such instances the students will be advised:

- Of the standards of behaviour expected BRAVO.
- That any further misconduct will be dealt with formally under the disciplinary procedure.

If appropriate, a member of staff may place a comment on the student's Individual Learning Plan on ProMonitor. This could lead to an informal meeting with either the student's Personal Tutor or another appropriate member of staff.

However, if the misconduct is deemed serious, it may be necessary to proceed directly to one of the formal stages set out below.

Formal Stage Investigation

A thorough investigation into the alleged misconduct will take place before a disciplinary interview is held or disciplinary action taken. This is likely to involve interviewing and gaining information and staff and students who were involved or witnessed the alleged misconduct.

**Examples of misconduct given on this page are illustrative only and not exhaustive.*

Formal Stage 1

At this stage a formal meeting is set up between HRC staff, the student, the employer (where appropriate). The Programme Manager will chair. Students are entitled to be accompanied either by a parent, guardian, relative, carer, friend (other than a suspended or excluded student), employer or designated representative of the employer to provide support. Also the College's student welfare officers can offer support in preparation for the meeting.

The meeting will hear details of the disciplinary problem and decide on one of three outcomes:

- a)** No further action.
- b)** An action plan with targets.
- c)** Recommend escalation to Stage 2.

Written confirmation of the outcome of this meeting will be sent within five working days to all parties and copies retained.

Where appropriate in the case of an apprentice, the employer will administer their own disciplinary action.

Formal Stage 2

If further misconduct occurs, or if the student's behaviour doesn't improve after the stage one interview or an incident of more serious misconduct occurs then the procedure moves to this stage.

Following an investigation a formal meeting will be held those attending are the same as at a stage 1 meeting except this will be chaired by a Curriculum Area Manager.

The outcome of the stage two meeting will be one of three:

- a)** No further action.
- b)** An action plan with targets and possible warning around further conduct.
- c)** Recommendation to go to Stage 3.

Written confirmation of the outcome of this meeting will be sent within five working days to all parties and copies retained.

Where appropriate in the case of an apprentice, the employer will administer their own disciplinary action.

Formal Stage 3 Disciplinary Panel Hearing

Exclusion from the College may take place, if a learner's misconduct persists or in instances of gross misconduct.

Following a recommendation for a Stage 3 panel hearing, the Director of Curriculum will convene and chair a panel to review all the documentary evidence relating to the misconduct. The learner will be notified in writing of the outcome of this panel meeting within ten working days of the meeting.

The outcome of the panel meeting could be one of the following:

- a)** No further action.
- b)** An action plan with targets and a final warning around further conduct.
- c)** Approval for exclusion for the current year.
- d)** Approval for permanent exclusion.
- e)** the panel may choose for an alternative outcome in certain circumstances such as the student has left or the panel feels a stage 2 is more appropriate.

Suspension

In cases where the alleged misconduct is serious and/or it may be detrimental to the smooth running of the course and/or college for the learner to remain on site, suspension may occur whilst the case is being investigated. The period of suspension will be kept to a minimum unless the college is awaiting the outcome of criminal proceedings.

Appeals

Under this disciplinary framework, appeals are permitted at the Stage 3. The learner must submit an appeal in writing to the Vice Principal Curriculum and Quality, Hertford Regional College, Turnford, Herts, EN10 6AE within 10 days of letter being sent.

The appeal letter must give reasons for the appeal i.e.

- a) That they dispute the accuracy of the facts presented in the meeting.
- b) That the meeting was not run properly.
- c) That new facts have emerged since the meeting.

A re-statement of what was said at the disciplinary is not ground for an appeal.

A letter in the form of an apology and promise to be better behaved will not be considered to be a proper appeal against the decision.

As part of the appeal process, the VP (or assigned representative) may require additional information. This may be via telephone conversations, email correspondence or possibly face to face meetings. Appeals will be considered within 15 working days.

A written notification of the decision following this appeal will be sent within five working days.

Disciplinary action may jeopardise the learner's chances of progressing onto a higher level course at HRC.

Action to be taken following investigation by HRC	Types of behaviour
<p>Informal Stage</p> <p>The Personal Tutor will arrange a meeting with the student at the earliest opportunity, to discuss the problem and explore solutions, including any support that might be needed or is available.</p>	<ul style="list-style-type: none">• Interrupting tutor/chatting.• Off task.• Impoliteness.• No uniform.• Not following simple instructions.• Inappropriate language.• Eating/drinking in class.• Misuse of mobile phones• Forgetting student ID.
<p>Formal Stage 1</p> <p>Formal meeting between HRC staff, employer (if appropriate) and student.</p> <p>A written confirmation of the outcome will be sent within five working days of the meeting.</p>	<ul style="list-style-type: none">• Persistence with any of the above.• Incidents which challenge authority.• Deliberate under-achievement.• Persistent lateness without a reason.• Smoking except in designated areas.

Action to be taken following investigation by HRC	Types of behaviour
<p>Formal Stage 2</p> <p>Disciplinary meeting held and parent/guardian and employer (where appropriate) asked to attend.</p> <p>A written confirmation of the outcome will be sent to all parties within five working days of the meeting.</p>	<ul style="list-style-type: none"> • Persistence with any of the above.
<p>Formal Stage 3</p> <p>The Director of Curriculum will convene and chair a panel to review the misconduct.</p> <p>A written confirmation of the outcome will be sent to all parties within ten working days of the meeting.</p>	<ul style="list-style-type: none"> • Intimidating verbal abuse or threatening/ aggressive behaviour towards HRC staff or learners. • Theft/Vandalism. • Sexual/Racial harassment of staff/learners. • Bringing drugs/alcohol/offensive weapon onto HRC premises. • Contravening of a department's health and safety guidelines.

Screening

For security reasons and to monitor student behaviour, the College has CCTV cameras within and outside the buildings and employs security guards. Also, the College may carry out screening strategies such as using metal detectors and sniffer dogs. This screening ensures that the College can deal effectively with those who may seek to cause personal injury to others, damage property or commit any other offense.

Searching

Where the College suspects a student is carrying a prohibited item, the College has the right to ask the individual to consent to a search which will be authorised by the Principal or his/her delegated representative. It is also permissible for a member of staff to search a student's desk, locker or other personal storage space where there is reasonable cause to suspect it contains a prohibited item, although good practice suggests that permission should be sought, and the Duty Principal or a senior member of staff involved.

Restraining and use of force

In extreme cases the College has the legal right to use restraint and force as appropriate (Further and Higher Education Act 1992).

Cooling off period

In some cases a member of staff may send a student home to "cool off" so a situation does not escalate. Students can also be sent home if they are in college but refusing to attend lessons. If the student is under 18 their parents will be informed. On return the student will meet with a member of staff from their department to discuss the incident and decide if further action is needed. This is not a suspension but an opportunity to allow space and reflection.