



HERTFORD REGIONAL COLLEGE

**STUDENT DISCIPLINARY & BEHAVIOUR MANAGEMENT
PROCEDURE 2021-22**

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PART 1: STUDENT DISCIPLINARY & BEHAVIOUR MANAGEMENT PROCEDURE

1.0 SCOPE AND PURPOSE

At Hertford Regional College we are committed to providing a learning environment in which students can give their best and participate freely in College activities. The purpose of the procedure is to promote positive behaviour as a way of supporting student progress towards reaching their potential. In cases where support for students is unsuccessful and or the student displays unacceptable behaviour, this will involve applying appropriate sanctions to protect the interests and learning of other students and staff.

All students have the right to learn and a responsibility to allow others to learn in a safe, secure and respectful environment. HRC also has a responsibility to provide staff with a safe, secure and respectful environment in which to work. The aim of this procedure is to ensure the provision of such an environment, to support the learning process and to promote acceptable conduct at all times.

This procedure applies on all College premises and to all College related activities, on or off site including online activity, such as College-arranged transport to and from College, visits, study tours and residential (UK or overseas). Also if the activities of a learner bring the College into disrepute even when they take place away from College premises this procedure can apply. Activity online or via digital media that is offensive or threatening to staff or students is also within this procedures remit.

The aims of the Procedure are:

1. To enable all learners to complete their course or programme of study successfully
2. To ensure all learners achieve good attendance and punctuality, complete work to a good standard and meet all deadlines and targets
3. To act against disruptive or noncompliant behaviour
4. To take action against acts of gross misconduct
5. To ensure that all learners are treated fairly
6. To identify and take supportive action with learners at risk of preventing themselves or others from successful study
7. To safeguard the property and business of the College and the health and safety of its learners, staff, contractors and visitors

The procedure applies to all students studying full time or part time courses. For students aged 14 and 15 parents and guardians need to attend disciplinary meetings. Please note that during the first 42 days (probationary period) this procedure does not apply, it may be used in cases of gross misconduct but the college may decide not to use a stage 3 and just end a student's probation. (Please see admissions procedure)

For HE students in some instances HE procedures may apply.

2.0 STATEMENT OF PROCEDURE

Student behaviour on both campuses is generally good, and Hertford Regional College aims to foster a safe and secure environment where staff and students can study, learn, grow and develop to their full potential.

The standards of behaviour expected are promoted in College literature, posters, BRAVO, Induction and through the study and tutorial programme so that everyone is aware of expectations.

Good academic performance and general good behaviour in the college, such as respectful and courteous behaviour, and compliance with The Student Code of Conduct, is essential to student success. The Student Disciplinary and Behaviour Management Procedure will be followed when students fail to meet the expectations outlined in the Student Code of Conduct i.e. when there is poor behaviour and/or under-performance.

A student subject to disciplinary action will be advised of how to find the **Student Guide to the Disciplinary and Behaviour Management Procedure** so they are clear as to the arrangements to be followed and can see that procedures are properly and fairly carried out. Students have the right of appeal against the outcome of the disciplinary process.

There are four stages to the disciplinary procedure which will be outlined fully within the disciplinary procedure. These are:

1. Informal Positive Engagement
2. Formal Meeting Stage 1
3. Formal Meeting Stage 2
4. Formal Disciplinary Panel Hearing Stage 3

The **Student Disciplinary and Behaviour Management Procedure** ensures the academic success, safety and well-being of all learners at the College. It sets out the disciplinary procedure for learners who breach the **Student Code of Conduct** (Appendix 1).

Formal Stage 1, 2 and 3 disciplinary records will be monitored annually to ensure that students are receiving equitable treatment under the procedures.

The Procedure recognises that sometimes students with a learning difficulty or disability may display behaviour that would normally result in disciplinary action. In these circumstances, it may be more appropriate to deal with the behaviour outside of normal procedures. In such cases staff will seek the advice of the Head of Student Services.

Also our aim is for this procedure to be trauma informed as such we aim to:

- Clearly communicate expectations, via induction, tutorials and promotion of BRAVO and the Student Code of Conduct.
- To provide a graduated discipline system that offers options at all levels to change behaviours and improve outcomes. Exclusion is only a last option.
- At all levels of the procedure positive engagement and use of both internal and external services to support young people and improve behaviour and outcomes.

3.0 Radicalisation and Extremism

The college seeks to protect its students against the messages of violent extremism including, but not restricted to, those linked to Islamic extremism, far right extremism and extremist animal rights movements.

Behaviours and actions which are deemed to be of an extremist or radical nature will be dealt with in line with the College's safeguarding policy, available on the College website and on Staffnet.

4.0 Bullying Harassment & Sexual Misconduct

HRC adopts the following definition of bullying:

‘A physical, psychological or verbal attack against an individual or group of individuals by a person or group of persons, intending to cause physical or psychological harm to the victim.’

Bullying is the use of aggression with the intention of hurting another person. It is usually conscious and wilful and commonly consists of repeated acts of aggression and/or manipulation. People can be bullied on the grounds of:

- Race
- Gender
- Age
- Sexual orientation
- Disability
- Socio-economic status
- Nationality
- Language
- Religion
- Belief
- Other real or perceived differences

However, it can also be for no apparent reason. Bullying can take many forms, including:

- Use of IT and mobile telephones, i.e. cyber-bullying and text messages, over social media (please see appendix 5 “Misuse of social media”)
- Being called names
- Being teased or taunted
- Being pushed or pulled around
- Being hit or attacked
- Having bags and other possessions taken and thrown around
- Having rumours spread
- Being ignored and left out
- Being forced to hand over money or possessions
- Being attacked because of religion, colour, ethnicity, language, sexual orientation, disability, gender, class, age, family circumstances etc.

Bullying can be subtle or it can be blatant. It can cause short-term suffering for the victim or it can go on for years, but it is always damaging and the college will always take it seriously and address it.

Harassment

Harassment (as defined by Section 26 of the Equality Act 2010) includes unwanted behaviour or conduct which has the purpose or effect of violating a person’s dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment because of, or connected to, one or more of the following protected characteristics:

- age
- disability
- gender reassignment
- race
- religion or belief
- sex
- sexual orientation

Harassment also includes domestic violence and abuse (which can also involve control, coercion and threats) and stalking.

Harassment can also include any incidents of physical violence towards another person(s) on the basis of a protected characteristic and hate crimes, such as those criminal offences, which are perceived by the victim or any other person to be motivated by hostility or prejudice, based on a person's disability or perceived disability; race or perceived race; or religion or perceived religion; or sexual orientation or perceived sexual orientation or transgender identity or perceived transgender identity.

Sexual Misconduct

Sexual misconduct relates to all unwanted conduct of a sexual nature. This includes, but is not limited to:

- Sexual harassment (as defined by Section 26 (2) of the Equality Act 2010) (Sexual Harassment is unwanted behaviour of a sexual nature which: violates the victims dignity. makes them feel intimidated, degraded or humiliated or creates a hostile or offensive environment. This may take the form of unwanted sexual approaches, touching, comments, sexual jokes and can also be via the internet or other communication methods.)
- Unwanted conduct which creates an intimidating, hostile, degrading, humiliating or offensive environment (as defined by the Equality Act 2010)
- Assault (as defined by the Sexual Offences Act 2003)
- Rape (as defined by the Sexual Offences Act 2003)
- [Physical unwanted sexual advances](#) (as set out by the Equality and Human Rights Commission: Sexual harassment and the law, 2017)
- [Intimidation, or promising resources or benefits in return for sexual favours](#) (as set out by the Equality and Human Rights Commission: Sexual harassment and the law, 2017)
- Distributing private and personal explicit images or video footage of an individual without their consent (as defined by the Criminal Justice and Courts Act 2015).

Definitions include harassment and sexual misconduct through any medium, including, for example, online.

In the event of an accusation of sexual misconduct both the reporting and responding parties will be offered support by members of the safeguarding team.

Ensuring Acceptable Performance and Behaviour

Staff have responsibility for ensuring that students adhere to their commitments as expressed in the Student Code of Conduct and BRAVO code. Managers have responsibility for ensuring that staff are effective in their duties and behave according to the ethos and policies of the college.

Ensuring the above has, in some circumstances, the danger of being interpreted as intimidation or even bullying. To minimise this possibility it is important that staff, when raising serious issues, particularly persistent issues, do so clearly but politely and respectfully.

Such an approach – particularly when support is offered – is intended to help to minimise the possibility of people feeling intimidated and improve the likelihood that issues will be resolved.

Responsibilities

Everyone in the College must take responsibility for promoting a common anti-bullying/anti-harassment approach and all members of the College community are expected to report and challenge incidents of bullying and harassment without fear or favour.

We expect that staff will:

- Ensure that all alleged incidents of bullying & harassment, perceived or otherwise, are reported to line managers and acted upon, **and that they are recorded/reported via CPOMS.**
- Provide a good role model for young people by behaving in a respectful and caring manner with students and colleagues
- Undertake training to help them to deal effectively with issues of bullying and harassment
- Tackle specific incidents of bullying & harassment through the disciplinary procedure, if appropriate
- Raise awareness in the classroom of bullying & harassment, for example through the tutorial programme and induction
- Record, monitor and investigate reported incidences of bullying and harassment **via CPOMS**

We expect that students will:

- Support College staff in the implementation of anti-bullying measures
- Become involved in the monitoring of the policy via Learner Voice
- Feel confident to challenge and report incidence of bullying or harassment
- Feel reassured that bullying & harassment is taken seriously and is always tackled by the College

We expect that the Governing Body will:

- Support the Principal and College staff in the implementation of anti-bullying/anti-harassment measures
- Be fully informed on all matters concerning bullying and harassment in the College

Dealing with, Recording and Monitoring incidents

All reported incidents will be taken seriously and will be investigated. The College's overall goal will be to stop bullying and harassing behaviour and to ensure that any victim is supported and protected.

Each stage of the investigation will be recorded **via CPOMS** and, if appropriate, the matter will be dealt with through the College's disciplinary procedure. Complaints of bullying or harassment can be reported to any member of College staff

Where appropriate, parents of both the victim(s) and the person(s) accused of bullying will be informed of what has happened and how it has been dealt with.

5.0 Equality and Diversity Statement

HRC is committed to the promotion and development of equality and diversity. This procedure is designed to ensure consistent, effective and fair treatment for all and has been impact assessed to ensure that it does not adversely affect users on the grounds of age, disability, race, gender, sexual orientation, gender reassignment, religion and belief or pregnancy and maternity. This procedure will be implemented in accordance with our Single Equality Scheme, SEND Reform and GDPR. The impact of this procedure on equality and diversity issues has been assessed. (See Appendix 2 for Equality Impact Assessment)

6.0 General Data Protection Regulation (GDPR) Statement

When dealing with student disciplinary meetings, the College processes personal data collected in accordance with its data protection policy. Data collected by the College as part of the student disciplinary process is held securely and accessed by, and disclosed to, individuals only for the purposes of managing disciplinary issues. Inappropriate access or disclosure of personal data constitutes a data breach and should be reported in accordance with the organisation's data protection policy immediately.

7.0 Student misconduct that may also constitute a criminal offence.

The nature and scope of an internal disciplinary process and nature and scope of a criminal process are fundamentally different. The criminal process must take precedence. If the same incident is being investigated internal processes should be suspended until the criminal process is complete. Once this process is complete an internal process can take place.

However, the college can take action under its disciplinary process at the same time as a criminal process is underway if the disciplinary case is based upon facts and matters which are different to those being dealt with under the criminal process.

This may lead to the suspension of a student or measures put in place such as reduced time on campus or a risk assessment whilst criminal proceedings take place. Advice from the police will be taken, this could in some circumstances lead to a long suspension. For further information please see [Guidance for HE](#) and Appendix 11.

PART 2: STUDENT DISCIPLINARY AND BEHAVIOUR MANAGEMENT PROCEDURE

1.0 SUMMARY

The purpose of the disciplinary procedure is to bring to a student's attention that his/her behaviour is in breach of the Student Code of Conduct and BRAVO and is, in the opinion of the College, likely to have a negative impact on the student, fellow students, the college or staff.

Hertford Regional College will do all it can to encourage the positive engagement of all students. This procedure aims to ensure consistency of approach to promoting and rewarding positive behaviour as well as dealing with unacceptable behaviour and misconduct.

All members of staff should contribute to the success of this procedure by relentlessly, but positively, challenging poor behaviour and engagement through immediate, direct intervention.

To create a culture of positive engagement, Hertford Regional College will:

- encourage all students to meet the standards of conduct, attendance and work performance required by the College
- promote the highest possible degree of consensus about standards of behaviour among staff, students, parents and employers
- provide clear guidelines about these standards and their practical application
- recognise, reward and celebrate positive behaviour
- recognise and appropriately challenge unacceptable behaviour
- ensure consistent and just treatment for all regardless of their age, ethnic origin, gender, disability, sexual orientation, marital status, religion or belief
- constantly strive to address unacceptable behaviour through positive engagement but be ready to accept that, on occasions, the disciplinary route is more appropriate;
- ensure that, whilst a disciplinary route may be necessary for a particular individual at a particular time, there may well remain a role for positive engagement activities running in parallel
- empower and enable staff to make the essential judgements on the most appropriate response to an incident of unacceptable behaviour

2.0. STANDARDS OF BEHAVIOUR EXPECTED

The standards of behaviour expected of students at Hertford Regional College are set out in the **Student Code of Conduct and our BRAVO code** and all students at Hertford Regional College have a responsibility to uphold these codes at all times.

Departments may also have vocationally relevant codes of conduct that students are expected to follow.

2.1 GOOD BEHAVIOUR & USING ENCOURAGEMENT AND PRAISE

In order to create a culture of positive engagement and mutual respect, staff must be clear about their role in promoting positive engagement as well as being clear with students about what is expected of them.

Every opportunity should be taken to remind students of what constitutes good behaviour, rather than reinforcing bad behaviour by taking a punitive approach. This is best achieved by being consistent and fair and by the use of encouragement and praise.

3.0 DEFINING UNACCEPTABLE BEHAVIOUR/ CONDUCT

It is very important that all unacceptable behaviour is addressed in some way. Ignoring such behaviour can and will be interpreted by some as tacit approval of the behaviour by a member of staff and is very likely to lead to repetition, if not escalation, and increased difficulty in dealing with that behaviour going forward.

Guidance on gross misconduct and tackling poor learner performance is provided in Appendices 3 and 4.

3.1 TYPES OF UNSATISFACTORY CONDUCT

For the purpose of administering our student disciplinary and behaviour management procedure we have categorised unsatisfactory conduct against the relevant meetings

| Types of unsatisfactory conduct | Relevant Meeting |
|---|------------------------------------|
| Unsatisfactory academic performance/low level disruption | Positive Engagement Meeting |
| Misconduct or persistent low level disruption/unsatisfactory academic performance | Stage Disciplinary Meeting 1 and 2 |
| Gross Misconduct or persistent misconduct/unsatisfactory academic performance | Stage 3 Disciplinary Panel Hearing |

3.2 SUSPENSION AND SANCTIONS

Who can suspend a student?

The table below outlines which member of staff can suspend or give a cooling off period to a student.

| Action | Who can Suspend |
|-----------------------------|---|
| Timeout/ Cooling Off Period | Duty Principal, Managers, CAMS |
| Suspension | Directors, CAMs, Head of Student Services |

3.3 COOLING OFF PERIOD

A Cooling Off Period is intended for low level incidents where an appropriate staff member considers this to be the most effective way to diffuse a situation. It can also be used where a learner is in college but refusing to go to their lesson. One or more students may be sent home for a maximum of 24 hours to cool off and reflect on their behaviour or actions. The cooling off period should not be used for misconduct or gross misconduct behaviour e.g. fights, criminal damage, bullying etc. Although may be used whilst investigations take place in such cases.

Actions to be taken

- Issue learner with Cooling Off letter which can be found at Receptions at both sites. (See sample letter in Appendix 9 Document 1).
- Agree when learner is next expected in for meeting with CAM to discuss.
- If learner is under 18, their parents/carers must be informed by phone or email and a copy of the letter sent to parents.
- Ask learner for their ID and send a request to MIS to their block card.
- Record Cooling Off on ProMonitor.

The student/s involved in the incident will return to college the next day they are timetabled in to attend a meeting with their Curriculum Area Manager. The purpose of the meeting is to discuss the incident, with any available evidence, and decide what further action should be taken, if any.

3.4 Other Actions

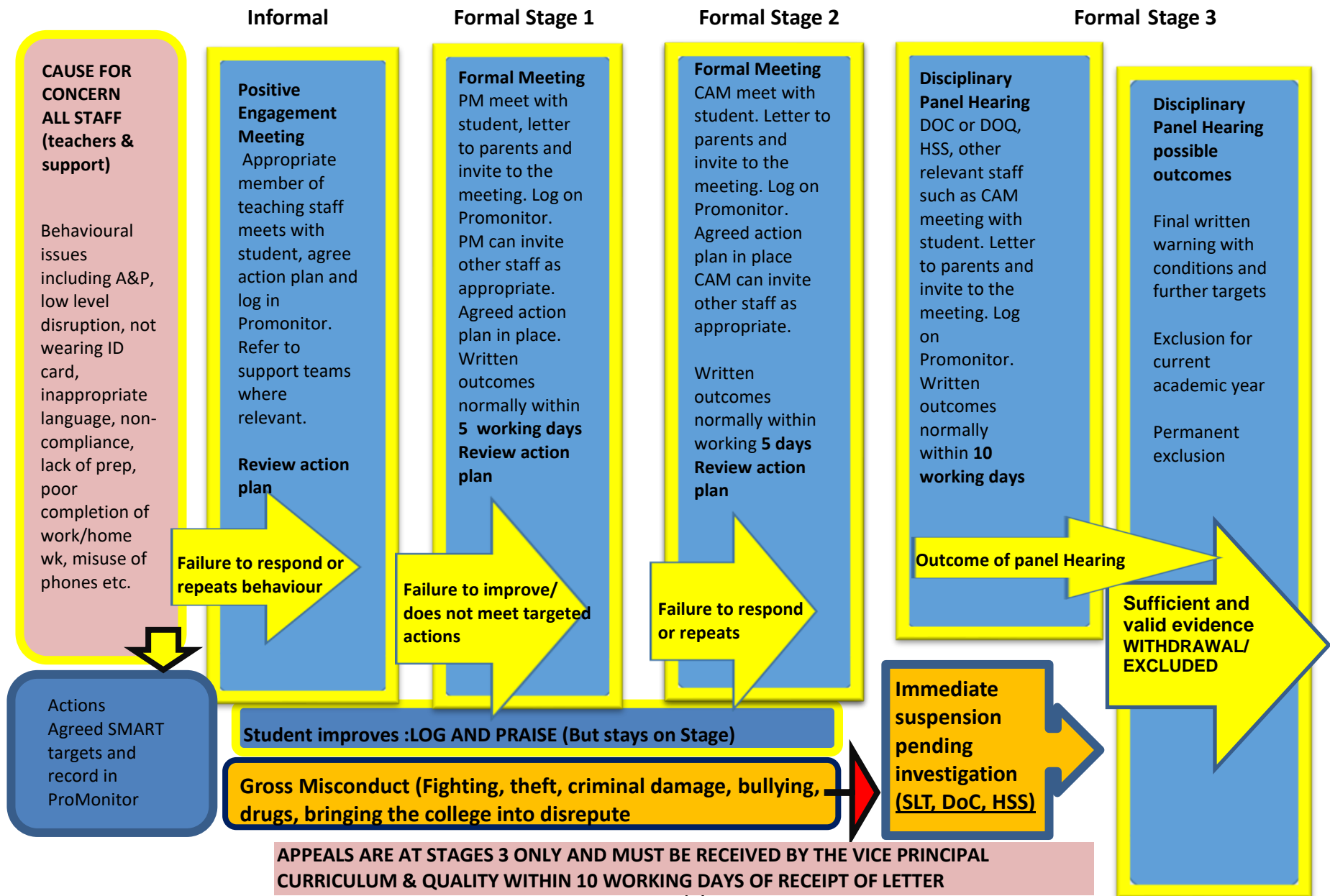
Prior to a disciplinary meeting it may be necessary to put in place other actions such as a reduced timetable to prevent students from meeting prior to a disciplinary outcome, in this way it may be possible to avoid suspension. It may be deemed a risk assessment is necessary which may place restrictions or expectations on the student concerned. An example of a risk assessment is in Appendix 12.

4.0: STAGES OF THE DISCIPLINARY PROCEDURE

There are normally four stages to the disciplinary procedure, building progressively towards possible exclusion (informal, formal stage 1, formal stage 2 and formal stage 3), and each stage is explained more fully in the sections that follow. The flow chart on page 11 summaries key information for each stage. These meetings can be held either face to face or virtually.

The College also has a Fitness to Study procedure in some circumstances it may be better to follow this procedure if a students behaviour, performance or attendance is affected by mental or physical health issues.

DISCIPLINARY PROCEDURE FLOW CHART 2019-20– ALL BEHAVIOURS (INCLUDING ATTENDANCE AND PUNCTUALITY)



4.1 INFORMAL STAGE POSITIVE ENGAGEMENT MEETING – PERSONAL TUTOR

Minor misbehaviour may occur at any time. Wherever possible, this should be dealt with through informal means at the time by the member of staff witnessing the behaviour. However, if the behaviour requires follow up, a note should be added on ProMonitor advising the students tutor of the behaviour, it could be that the member of staff reporting the behaviour is the appropriate member of staff to hold the meeting for example a maths or English tutor.

Poor punctuality, attendance and poor learning behaviour in lessons (including English and maths lessons), and failure to meet assignment deadlines may all lead to a cause for concern on Promonitor

Failure to wear visible ID at all times whilst on site is a breach of our safeguarding expectations and should attract a disciplinary warning. No learner should be allowed on site without an ID card. (See Appendix 6, Procedure when a learner forgets their ID)

Upon receiving details of misbehaviour:

1. The Personal Tutor/relevant member of staff will arrange a Positive Engagement 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
2. The Personal Tutor/relevant member of staff and student should agree an action plan appropriate to the circumstances, specifying the required improvements in behaviour as well as timescales for improvement, and a record of this must be made on the student's Individual Learning Plan (ILP) on ProMonitor within a 'Positive Engagement Meeting'. This should be referred to Student Services if extra support is required relating to counselling, student welfare, financial support, additional learning support or careers advice. The student must be made aware of the possible ramifications should improvement not be made as agreed.
3. During the next 1:1 tutorial or relevant lesson, the Personal Tutor or relevant member of staff should review and note whether or not the student has achieved the agreed action plan targets, and record this on the ILP.
4. If the action plan has been successfully carried out the disciplinary process ends. If there has been no improvement, or there is further notification of misconduct, the procedure moves on to formal Stage 1.
5. Throughout this informal process, the Personal Tutor or relevant member of staff must ensure that they are keeping the relevant Programme Manager informed of the issues and discussions. In some cases, it may be more appropriate for the Programme Manager to carry out this informal process with the student. Welfare advisors are also available to support the learner through the process.

4.2 STAGE 1 FORMAL MEETING –PM

If there has been insufficient improvement following the informal process, further notification of misconduct or a serious incident of misconduct, then the procedure moves to formal Stage 1. The Stage 1 procedure should be carried out by the relevant Programme Manager (PM).

1. The student should be notified that Stage 1 of the procedure is being invoked, and the reasons why. The meeting should be held as soon as possible and not more than **10 working days** between the need for the disciplinary being ascertained and the date of the meeting. A letter should be sent to parent/carer of under 18 students, to state the meeting is happening and they are welcome to attend. But the meeting should happen in a timely fashion so the rearrangement of it for parental attendance may not be possible, they will receive information on the outcome of the meeting.
2. Notification should be in the form of a letter to the individual (Appendix 9, Document 2), The letter should be copied with enclosures to the parent or carer if the student is under 18, or is regarded as living at home under the sponsorship of a parent or carer, or to the employer if in work-based learning. If the student is a member of the Virtual School a copy of the letter should also be sent to the Virtual School. If the student is on an apprenticeship programme the Director of Curriculum and Apprenticeships should also be notified.
3. The student is 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 (for work-based and other sponsored learners), to provide support. This entitlement must be included in the written notice of the formal meeting.
4. The Chair will be the PM other relevant staff may be present at the invitation of the Chair in the case of English and Maths the tutor should be present. The Chairperson should assemble all available evidence of the misbehaviour or misconduct, including any witness statements from staff, students and/or third parties. In the use of evidence particularly CCTV, GDPR needs to be adhered to.
5. The student will have the right to respond and may bring evidence to support his/her position.
6. The person accompanying the student may not undertake the meeting on behalf of the student, and may speak only to ask for, or provide, clarification of what is being said by any of those present.
7. At the conclusion of the meeting, the Chair may ask the student and support to withdraw whilst the evidence is considered. Alternatively, the student may be given notice of when a decision will be reached.
8. Irrespective of any verbal decision being communicated to the student, the Chair **must notify the student in writing of the outcome of the Stage 1 disciplinary meeting within 5 working days of the meeting** (Appendix 9 , Document 3). A copy of the outcome is to be sent to all involved as described in point 2 above of this part of the procedure.
9. **The outcome of the disciplinary meeting could be one or more of the following:**
 - a) No further action
 - b) An action plan with targets
 - c) Escalate to Stage 2
10. A copy of the letter of confirmation should be placed on the student's file.

11. The outcome of the stage 1 should also be recorded on the student's ILP within 'Stage 1 disciplinary meeting', with details of any action plan and targets including conditions for continuation on programme.
12. Personal Tutor should continue to work with the student to support them in achieving targets in any action plan or compliance with any conditions for remaining on the programme, and progress should be recorded on the student's ILP. They should involve other College staff, for example, College Counsellor or College Welfare Adviser as appropriate.
13. PM will conduct the review and record on the student ILP whether or not the student has met the conditions and/or achieved the agreed action plan targets.
14. If the conditions have been met and/or the action plan has been successfully carried out the disciplinary process ends PM or the personal tutor will verbally inform the student of this.
15. If there has been no improvement, or there has been further notification of misconduct, then the procedure moves on to Stage 2.

4.3 STAGE 2 FORMAL MEETING - CAM

If there has been insufficient improvement in behaviour following a Stage 1 meeting, further notification of misconduct, or persistent unsatisfactory academic performance, then the procedure moves to formal Stage 2. The Stage 2 procedure should be carried out by the Curriculum area Manager (CAM). Where incidents involve more than one curriculum area CAMS should discuss so outcomes are fair, student services to be involved if needed.

1. The student should be notified that Stage 2 of the procedure is being invoked, and the reasons why. The meeting should be held as soon as possible and not more than **10 working days** between the need for the disciplinary being ascertained and the date of the Meeting.
2. Notification should be in the form of a letter to the individual (Appendix 9, Document 5), within the letter should be guidance as to where to find the Student Guide to the Disciplinary and Behaviour Management Procedure. The letter should be copied to the parent or carer if the student is under 18, or is regarded as living at home under the sponsorship of a parent or carer, or to the employer if in work-based learning. If the student is a member of the Virtual School a copy of the letter should also be sent to the Virtual School. If the student is on an apprenticeship programme the Director of Curriculum and Apprenticeships should also be notified.
3. The student is 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 (for work-based and other sponsored learners), to provide support and ensure fairness. This entitlement must be included in the written notice of the formal meeting.
4. In some instances of gross misconduct, or continued misbehaviour for which exclusion may be an outcome, the student may be suspended and parent/carers/Virtual School informed if under 18 until the disciplinary meeting takes place. If the student is on an apprenticeship programme the Director of Curriculum and Apprenticeships should also be notified.

The decision to suspend a student should be taken by the Director of Curriculum, in circumstances where the DOC is unavailable, this decision can be made by a Curriculum Area Manager. In exceptional circumstances the Duty Principal can suspend students.

In instances of suspension, the student's ID card should be taken unless there are reasons not to such as needed for bus travel, MIS notified to block student ID card and the relevant flag entered on the system.

5. The Meeting will be conducted by the CAM acting as chairperson other relevant staff may be present at the invitation of the Chair. Notes of the meeting should be taken and kept on the student's file.
6. The chairperson should assemble all available evidence of the misbehaviour/misconduct, including any incident reports and witness statements from staff, students and/or third parties.
7. The alleged misconduct or misbehaviour will be presented to the student, together with the supporting evidence.
8. The student will have the right to respond and may bring evidence to support his/her position.
9. The person accompanying the student may not conduct the Meeting on behalf of the student, and may speak only to ask for, or provide, clarification of what is being said by any of those present.
10. At the conclusion of the Meeting, the Chair may ask the student and support to withdraw whilst the evidence is considered. Alternatively, the student may be given notice of when a decision will be reached.
11. Irrespective of any verbal decision being communicated to the student, the Chair **must notify the student in writing of the outcome of the Stage 2 disciplinary Meeting within 5 term time working days of the meeting** (Appendix 9, Document 6). A copy of the outcome is to be sent to all involved as described in point 2 above of this part of the procedure.
12. The outcome of the disciplinary Meeting could be one or more of the following:
 - a) No further action
 - b) An action plan with targets, and possible warning around future conduct.
 - c) Escalate to a Stage 3 Panel Hearing
13. It must be made clear in the written outcome that a breach of any conditions for continuing on programme, or failure to achieve the action plan targets will lead to a **Stage 3 Disciplinary Panel Hearing**.
14. The outcome of the Stage 2 should also be recorded on the student's ILP under 'Stage 2 disciplinary meeting' with details of any action plan and targets including conditions for continuation on programme.
15. Except where exclusion is recommended, the CAM must make appropriate arrangements for when a review of any conditions or action plan with the student is to take place, and who will conduct it. As a minimum, this should be at Curriculum Area Manager level.

16. Prior to the review date the student should be reminded of when and where the review will take place. The person conducting the review must gather from relevant staff an update on the student's progress in meeting any conditions or action plan targets.
17. Conduct the review and record on the student's ILP whether or not the student has met the conditions and/or achieved the agreed action plan targets.
18. If the conditions have been met and /or the action plan has been successfully carried out the disciplinary ends. This must be noted on the student's file.
19. If there has been no improvement the student must be informed of this in writing (Appendix 9, Document 7) and that consequently he/she will be recommended for Stage 3
20. If the outcome of the Stage 2 meeting is a recommendation for exclusion, the CAM should notify all parties of the outcome. And the CAM will put the student forward for stage 3.

4.4 STAGE 3 – FORMAL DISCIPLINARY PANEL HEARING

1. Curriculum Administrators will liaise with relevant managers and curriculum staff and set up stage 3 panel meetings. Panel members to review all documentary evidence relating to the misconduct. The panel will be chaired by the relevant Director of curriculum or another Director/Head of student Services where required, and will include the Head of Student Services (or a nominee of the HoSS) and other relevant staff as deemed appropriate by the Chair. Often the most appropriate person to present the evidence is the CAM.
2. The student should be notified that Stage 3 of the procedure is being invoked, and the reasons why. The student must be given reasonable written notice of the date and time the Stage 3 panel is to take place, and of the members of staff that will be present. **The timescale should be within 10 working days between the need for the disciplinary being ascertained and the date of the meeting.** In extenuating circumstances the time scale could be extended.
3. Notification should be in the form of a letter sent by the curriculum team/administrator to the individual (Appendix 9, Document 10), The letter should be copied to the parent or carer if the student is under 18, or is regarded as living at home under the sponsorship of a parent or carer, or to the employer if in work-based learning. If the student is a member of the Virtual School a copy of the letter should also be sent to the Virtual School. If the student is on an apprenticeship programme the Director of Curriculum and Apprenticeships should also be notified.
4. The student is 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 (for work-based and other sponsored learners), to provide support. This entitlement must be included in the written notice of the formal meeting. The college reserve the right to halt the panel hearing if the meeting deteriorates and becomes unmanageable. It may be advantageous to have a formal agenda for such a meeting there is a suggested agenda in Appendix 8.

5. The panel chair will notify the student in writing of the outcome of the Stage 3 within 10 working days of the panel meeting by way of a letter. A copy of the letter is to be sent to the parent or carer, as described in point 3 above in this part of the procedure, If the student is a member of the Virtual School a copy of the letter should also be sent to the Virtual School. If the student is on an apprenticeship programme the Director of Curriculum and Apprenticeships should also be notified. Summary notes will be taken and placed on the student's ILP within 'Stage 3 disciplinary meeting' by the curriculum team.
6. The outcome of the panel meeting could be one or more of the following:
 - a. No further action
 - b. A further action plan with targets and final warning around future conduct
 - c. Approval for exclusion for current year (this will mean that re-application for next year will be permitted)
 - d. Approval for permanent exclusion. **This needs to be noted on ProSolution via Administrators and marked to show for all years.**
 - e. In some circumstances the panel may choose a different outcome such as reducing the level of disciplinary to a stage 2 or merely noting the outcome because the student has left.

The outcome of the meeting will be recorded formally in writing. (Appendix 9, Document 12) – Sample letter of outcome of exclusion panel hearing. If action plan is not adhered to the learners will not go through another stage 3 and the likely outcome will be approval for exclusion. Also a student on a stage 3 action plan will remain on this for the remainder of their time at the college even after the end of the academic year.

5.0. APPEALS PROCEDURE

- 5.1 A student has the right to appeal against any decision arising from a stage 3 formal disciplinary hearing.
- 5.2 Notice of appeal must be made within 10 working days of the written notification of the outcome of the disciplinary meeting being sent.
- 5.3 The appeal must be lodged with the Vice Principal Curriculum and Quality, Hertford Regional College, Turnford, Herts, EN10 6AE, and should be made in writing. If help is needed with this, the College Welfare Adviser may assist with this part of the process. They should not, however, write the appeal on behalf of the student. Assistance is only to present a clear and coherent appeal.
- 5.4 The appeal letter must clearly present the reasons for the appeal, for example new evidence has emerged since the meeting. A re-statement of what was discussed at the disciplinary is not a 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.
- 5.5 If no appeal is received within 10 working days of the date of the letter or email, the outcome of the formal stage disciplinary meeting, together with any conditions, will be upheld.
- 5.6 An appeal lodged within these procedures will be considered within 15 working days of receipt of the letter by the Vice Principal or assigned representative.

5.7 As part of the appeal process, the VP (or assigned representative) may require additional information, in particular, to further explain the reasons for the appeal and to state the case for reconsideration of the original decision where this is not clear. In this instance, further discussions with the student lodging the appeal and/or members of college staff may be required. This may be via telephone conversations, email correspondence or possibly face to face meetings.

5.8 Where it is deemed that a face to face meeting with the student is required, the student is entitled to be accompanied by a parent, carer, relative or friend (other than a suspended or excluded student), employer or designated representative of the employer (for work based and other sponsored learners) for support purposes during this meeting. Non-verbatim summary notes of the meeting should be taken and kept on the student's file and recorded on the student's ILP, along with copies of associated letters.

5.9 Witnesses will not normally be involved at this stage, except in relation to any relevant new evidence presented.

5.10 A suspended student remains suspended whilst the process is carried out.

5.11 The VP or assigned representative will consider whether to allow the appeal, dismiss the appeal, or moderate the recommendation of the original disciplinary hearing. They may not impose a more severe sanction than originally applied.

5.12 The final decision of the appeal hearing will be confirmed in writing within 5 working days of the final consideration. No further appeals against the same disciplinary outcome will be considered.

6.0 SCREENING AND SEARCHING

6.1 SCREENING

The College will use CCTV and other means to observe behaviour throughout the College premises, and use images to identify students whose behaviour is unacceptable. It may be impossible to show CCTV footage because of GDPR.

Hertford Regional College will work in collaboration with other external agencies such as the police, to implement appropriate screening strategies such as metal detectors, arches, wands and sniffer dogs in order to detect prohibited items such as weapons or drugs. This tactic will be used at random or specifically as appropriate. Should the police decide to follow up their screening with a search the College will facilitate this.

6.2 SEARCH PROCEDURE

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. If any prohibited items are found this goes to a stage 3 meeting refusal to be searched may also lead to a Stage 3 meeting. See Search Procedure on Staffnet.

7.0. THE INVOLVEMENT OF PARENTS, CARERS AND EMPLOYERS

The college has regard to carers and parents of students under 18 years of age or those regarded as living at home under the sponsorship of a parent or carer and the college will contact and involve such in all formal stages of the disciplinary procedure unless the student has given acceptable reasons why this should not happen e.g. independent living / safeguarding concerns. This also applies in the case of advocates for some students aged 18 and over. Similarly, where a student, regardless of such age is being directly sponsored by an employer, the college has a duty to report to that employer any concerns about attendance, work or conduct.

Parents can provide invaluable support and should be involved if there is no improvement after the informal stage or if there are a variety of issues (e.g. attendance, disruption in class, failure to meet deadlines). However, it is also important to help students towards independence during the transition to adulthood and they must be encouraged to be responsible for their own progress.

Parents may be involved at the disciplinary stage unless this is deemed inappropriate by College Management (e.g. independent living, safeguarding concerns) or if the student is 18 years or older and the student requests they are not involved.

Parents don't have to be involved (except in the case of our 14 and 15 year old students, where the parent or school needs to be involved) and staff should not expend undue effort in attempting to involve parents who clearly do not wish to engage. However, it is important that reasonable attempts have been made through a variety of means which would have a good chance of overcoming any communications difficulties caused by such issues as working patterns, learning difficulties and disabilities, English language skills and so on.

8.0 ALLEGATIONS AGAINST STAFF

Students sometimes make allegations about staff behaviour. When an allegation is made against staff it will be investigated and appropriate action taken, according to the staff disciplinary procedure or safeguarding procedure as appropriate.

Students should be advised that if allegations are found to be vexatious, this will be treated as gross misconduct, and they will be given the chance to withdraw the allegation at this point. If a student admits to making a false allegation at this stage it will be treated as minor misconduct, and an informal disciplinary given.

If the student continues to make an allegation, and it is subsequently found to be false, then this should be treated as gross misconduct, and a formal disciplinary process should be instigated, in accordance with the disciplinary procedure.

9.0 Presentation of Evidence

During any of the stages evidence may be presented in a manner of forms such as ProMonitor comments, statements from witnesses, information from IT systems, screen captures and CCTV. It is important to protect the identities of those involved for example students names should be removed from statements, other students mentioned in ProMonitor comments not be referred to. Whilst members of the panel can see all evidence there may be reasons that it cannot be shown to students and those accompanying them. For example, CCTV footage showing other students or captures from others phones that identify individuals. It is important that confidential information is

shared only with those who need to see it and those giving information confidentially need to be reassured this will not be shared beyond the panel members.

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| Date of Document establishment and initial approval | 2011 |
| Version number | 11.0 |
| Approved by | Senior Leadership Team |
| Designated owner | Vice Principal Curriculum and Quality |
| Linked policies and procedures | Tutorial Guidance Safeguarding Children & Vulnerable Adults and Prevent Procedure & Procedure Fitness to Study Procedure Search Procedure |
| Date of last review | July 2021 |
| Date of next review | July 2022 |

APPENDIX 1

STUDENT CODE OF CONDUCT

By enrolling at the College you have agreed to abide by this code of conduct. The student code of conduct is to help you succeed and to make your college a safe place to learn:

- 1: Attend all sessions and inform the college immediately if you are going to be late or absent.
- 2: Be on time and be prepared for all sessions on your timetable and remember to bring the right equipment to lessons.
3. Respect the Highway Code rules when using the carpark or these rights will be withdrawn.
4. Remove all hats and coats when in classrooms or study areas.
- 5: Meet all deadlines and targets for your work and complete it to the very highest standard you are able to.
- 6: Make sure all work is your own. Do not cheat or plagiarise (copy) other people's work.
- 7: Do not use a mobile device in classrooms or study areas ***unless a member of staff has allowed it.***
- 8: Follow instructions from staff during lessons and on college premises helping to create a safe environment where everyone can learn.
- 9: Pass the six week Induction period before you can continue your chosen programme of study.
- 10: Wear your ID cards at all times and ensure it is visible, and if requested, hand it to a member of staff for inspection. ***Do not allow others to use your ID and do not help others to enter the college without ID.***
- 11: Show respect for all students, visitors and college staff at all times including when you are online, by respecting the rights and views of others. Never use abusive language or display behaviour which is aggressive, violent or in any way threatening to any person in the college. Never display extremist or discriminatory views that promote violence or break the law.
- 12: Sexual misconduct is unacceptable. Sexual harassment which is unwanted behaviour of a sexual nature such as touching, sexual comments, degrading names or the creation of a hostile environment will not be tolerated and offenders will be sanctioned.
- 13: Always act in a way that maintains the college's good reputation by respecting residents in our local community and acting appropriately in the local area. Also do not bring the college's reputation into disrepute by your actions online such as posts on social media.
- 14: Always show respect for college property and use college buildings and equipment safely and carefully.
- 15: Follow health and safety procedures including the HRC risk assessment on Covid 19, guidelines, and follow the college's IT Code of Practice. This includes bullying and posting on social media items that bring the college into disrepute.
- 16: Never bring illegal drugs, alcohol or weapons into the college. Smoking and vaping are only permitted in the designated smoking areas at each campus.
- 17: Anybody caught stealing from anywhere on the college premises will be suspended and may face possible legal action.
- 18: Wear appropriate clothing that is safe and suitable for the industry that you aspire to work in and do not wear hoods or motorcycle helmets inside the college.

APPENDIX 2 Equality Impact Assessment

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| Impact Assessment for the 4 strands of Equality, Safeguarding, Health and Safety and Sustainability | |
| Initial Form to be completed with Risk Assessments or as part of a proposal or change to a policy, plan or new way of working | |
| Title of Procedure Student Disciplinary & Behaviour Management Procedure Author and Date: July 2021 Philip Line | New <input type="checkbox"/> Revised <input checked="" type="checkbox"/> Expected Implementation Date: September 2021 What is the review date: July 2022 |
| Equality and Diversity. Which of the characteristics maybe impacted upon? And, if yes, how has this been considered? What are the risks? What are the benefits? | Yes <input checked="" type="checkbox"/> No Ethnicity, gender, age, disability. The procedure has a staged process and the decision making is by a group and not one individual staff members. Student Services offer support to learners in stages one and two. The Appeal procedure at Stage 3 provides additional opportunity for students to express any concerns on the implementation of the disciplinary procedure. The benefit of a good disciplinary procedure is that it will challenge discrimination and bullying. Students are given a say in the process where they can express concerns in the procedure. There is a separate Fitness to Study Procedure to address concerns around attendance, behaviour and performance for students with ill health including mental health. |
| Safeguarding: (inc. Prevent) Are there any aspects of this proposal which could cause a student/member of staff/visitor to feel unsafe? If yes, how has this been considered? What are the risks? What are the benefits? | Yes No <input checked="" type="checkbox"/> |
| Health and Safety: Have any risks been identified? If yes, how has this been considered? What are the risks? What are the benefits? | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> This procedure mentions the College right to search and HRC's search procedure. Staff may feel unsafe to carry out searches however support will be provided before designated staff are requested to carry out searches. This procedure is reviewed annually. |
| Sustainability: Are there expected impacts on sustainability issues? If yes, how have these been considered? | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> |
| Evidence: | The College has an Inclusion and Impact Working Group which meets twice a term. One of the key objective of the group is |

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| <p>What evidence do you have for your conclusions and expectations for these conclusions?</p> <p>How will this impact be monitored for all these considerations?</p> | <p>to review the evidence of the college's promotion of equality and diversity in line with the Common Inspection Framework and Equalities act to explore and action any evidence of inequality Report on the impact of the work of the group to SLT and governors. The Head of student services will produce an annual report on the disciplinary process for the group.</p> <p>The Quality Team collate disciplinary data which is analysed and discussed at Inclusion Working Group. This is shared with CAMs and DOCs to drill down further to assess if there are inequality issues.</p> |
| <p>Is this procedure of a high/medium or low risk?</p> | <p>High <input type="checkbox"/> Medium <input type="checkbox"/> Low <input checked="" type="checkbox"/></p> |

APPENDIX 3- Tackling Poor Learning Performance: A Guidance Note

If our Admissions procedures have worked well, all students should start the year on the right course at the right level with the right Additional Learning Support in place, including literacy and numeracy support where a need is identified.

If this has been done effectively, no student should drop out except in very exceptional circumstances, and the great majority of students should finish successfully and progress.

If this hasn't happened, this needs to be addressed rapidly within the first 6 weeks after the start of the course. Otherwise it can easily become a chronic retention problem.

However, even where this is the case, students can begin to lose motivation which leads to poor academic performance. Symptoms of this can include poor punctuality, erratic attendance, poor behaviour in lessons and poor or late work.

Early intervention is the key to success in tackling poor academic performance. Led by the Director of Curriculum, staff should consider the following in tackling under-performing students:

- Talking as soon as possible face to face with students to raise concerns – this can be informal and brief, or a more formal one-to-one session.
- Calling students to a formal meeting to review their performance.
- Asking more senior departmental staff to talk to them, or even the Vice Principal Curriculum & Quality or the Principal.
- Having them report each day they are in to a member of staff.
- Putting them on a report card which has to be signed each session they attend.
- Putting them on a formal Action Plan to get work in.
- Bringing them in for extra sessions to catch up with work in the library or LRC.
- Writing home to parents to express concern and ask for a telephone conversation or meeting.
- Referring them for counselling or mentoring.
- Short term exclusion – say 1 day or 1 week– pending a review meeting.

Please note, this list is not exhaustive. The main thing is to be pro-active and flexible in responding to different types of poor performance and the different personalities of students.

Please remember that withdrawal should only happen when we are sure we've tried everything to avoid it.

Whatever action is taken, it is essential that this is recorded on the student's Individual Learning Plan, so that there is clear evidence to present in the event a withdrawal or exclusion is considered.

In the end, if none of these interventions work, then disciplinary action must be taken.

APPENDIX 4 - GUIDANCE FOR STAFF: DEFINITION OF GROSS MISCONDUCT

1. Theft of College property or the property of any other person in College
2. Vandalism of any College property or the property of other College users (such as private cars)
3. Violent conduct, or conduct that appears likely to lead to violence
4. Importing obscene, distasteful or violent images into classrooms or other public areas
5. Racist, sexist, bullying or other harassing behaviour contrary to the College's Equality and Diversity Policy
6. Conduct that puts at risk the health and safety of the student concerned or others
7. Sexual assault and acts of indecency involving others
8. 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 materials or saving such items to disk or memory sticks.
9. Carrying an offensive weapon
10. Possession of drugs with an apparent intention or ability to supply
11. Possession or use on College premises of a weapon or any other form of physical object or chemical substance that could be used to threaten, harm or endanger others. This includes the possession of replica guns and the misuse of aerosols.
12. Possession or use on College premises of unlawful drugs or other proscribed substances.
13. Consumption on College premises of alcohol, except in properly licensed and supervised areas.
14. Being under the influence of drugs or alcohol, whether or not consumed off College premises, such that the student is unable to participate satisfactorily in classroom activities.
15. Being under the influence of drugs or alcohol when attending a class, workshop or practical session, where the individual's health and safety is at risk, or puts at risk the health and safety of others.
16. Making statements or accusations against others that are untruthful or false.
17. 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.
18. Conduct damaging to the reputation or the business of the College, or the University for those learners registered with one of our partner Universities.

Examples of misconduct given above are illustrative only and not exclusive. The College maintains the right to consider other behaviour that presents itself as unacceptable, even if not included in the above at the present time.

Where the student is involved in activities which are against the law, the College will involve the Police. However, the decision to report a matter to the Police will be taken by the Duty Principal or a member of the Senior Leadership Team, unless any member of staff judges that the student(s) concerned or any third party are at risk of significant harm.

APPENDIX 5- Misuse of social media

On occasion staff may receive complaints from students about other students abusing or threatening or bullying them by various types of social media. Often much of this takes place outside of college and not during the college day. In our commitment to safeguard all our students we will endeavour to support in such cases. Below is some advice on how to do so:

- If a student has been threatened or feels the law has been broken over social media the college always advises that they report this to the police.
- The Police have greater resources to investigate such matters.
- The college's first response to such matters is to try and bring about reconciliation between parties and in extreme cases take students into the disciplinary process if there is misconduct or gross misconduct. Our social media strategy states "If a member of staff or a student is found to be engaging in any form of online activity that is deemed as cyber bullying, bringing the reputation of HRC into disrepute, and/or uses the Internet in any way to attack or abuse students, staff members, teachers or tutors then that person could face disciplinary action."
- A student who is complaining about another's conduct must be prepared to share all their communications so an understanding of context is established.
- Any student accused needs the right to reply.
- It may be the case that students are advised to block each other on various platforms, the college cannot enforce this but students need to understand that if they do not take advice offered it becomes difficult for the college to support.

APPENDIX 6

Procedure When a Learner forgets their ID badge

All staff, learners and visitors are required to wear their ID badges at all times whilst in the college. The only exceptions to this would be where learners or staff are required to remove their badges for health and safety reasons. In this case the learners should be in a room with a member of staff and the ID badge has been requested to be removed for health and safety reasons. The badge must be worn again as soon as they finish carrying out the activity.

The rules and expectations around wearing ID badges will be reinforced from immediately learners are enrolled. For the first few weeks of the academic year, temporary ID badges will be issued at reception for learners who have forgotten their ID badges on any one day.

From a date specified each year by the Vice Principal Curriculum and Quality, the following will be implemented for all learners:

- Where any learner arrives at reception without their ID badge, the reception/ security staff will check the age of the learner. For any learner age 16 or over, they will explain that the learner must either return home to collect their badge or pay £3 for a new one.
- In the event of any conflict in giving this message, the Duty Principal (DP) will be called.
- The DP will complete a cause for concern form and send to the personal tutor. This should state whether the learner has been sent home to get their ID card, or paid for a new card.
- If a learner has been sent home and is under 18 then the letter on the following page should be sent to the parents / carers.

No learner under the age of 16 will be sent home without recourse to the Duty Principal. In this case the Duty Principal will liaise with the 14-16 team, or with the Workwise management team to contact the host school or the parents before allowing the learner to leave the campus.

Note: The Financial Support team should be aware of this procedure and if the learner is having financial difficulties and cannot pay the £3 they should be referred to the Financial Support team. If the learner simply refuses to pay they are failing to comply with the College rules and expectations and this will escalate the disciplinary stage.

APPENDIX 7 – College ID card: Disciplinary warning letter to student

To be printed on College headed paper

Hertford Regional College (Either) Broxbourne Campus or Ware Campus

(Date)

Dear

IMPORTANT LETTER REGARDING YOUR COLLEGE ID CARD

As you know, it is College procedure that all staff, students and visitors should wear an ID card when in the College. This is to promote the safety of all who use the College by ensuring that only authorised people are on the College premises. This expectation is clearly stated in your induction, in the Student and Programme Handbooks and on posters prominently displayed around the College.

This is to confirm that:

- You did not have your ID card with you today and you did not have / were not willing to pay £3 for a new card.
- You have been sent home from College to find your existing ID card.
- If you continue to fail to bring and wear your ID card then formal disciplinary action will be taken and may ultimately result in exclusion from the college.

Yours sincerely
(Name of tutor)
(Department)

Copy to:
Student ILP (Full Time Students) or Progress
Record
Parent/carer

Curriculum Area Manager
Personal Tutor
Business Support Administrator (Directorate)

Appendix 8: Agenda for Stage 3 meeting

Stage 3 Formal Disciplinary –

Date:

Time/Location:

Student name:

Course:

Present:

- Introductions of attendees and process
- Outline of Process and Possible Outcomes
- Presentation of Evidence
- Response from Learner
- Questions from the panel
- Break (if Necessary)
- Summary

APPENDIX 9 – SAMPLE LETTERS

DOCUMENT 1 – Sample Letter: Cooling Off Period

Student Name
Address

Student ID number:

Dear

Re: Incident today

You have been involved in an incident today which has resulted in you being issued with Cooling Off Period. You have been asked to leave the campus and go home and to reflect on your behaviour.

You must return to college on: at:.....
for a meeting with.....

OR

You will be contacted by the Curriculum Area Manager for the department you are studying in who will arrange a time for you to come in for a meeting.

The purpose of the meeting is to discuss the incident, with any available evidence, and make a decision on what will happen next.

It is important you turn up for this meeting as your absence could result in this incident being referred through the formal student disciplinary procedure.

If you are under 18 your parent/carer will be informed that you are being sent home for 24 hours.

Yours sincerely,

(Job Title and Department)

Copy to:

Student ILP (Full Time Students) or Progress
Record
Student Services Manager
Director of Curriculum
Personal Tutor

College Welfare Adviser
Parent/ Carer/Referral Agent/ Employer/ Virtual
School (where appropriate)
Director of Apprenticeship Programmes(where
appropriate)
Business Support Administrator (Directorate)

DOCUMENT 2 – Sample letter - Notification of Stage 1 Disciplinary Meeting

Reference:

Date

NAD

Dear

Student Disciplinary Procedure - Stage 1 Misconduct

This is to inform you that you are required to attend a formal meeting on
at in room . This meeting will be conducted by myself.

The matter to be investigated is
. If you have any documentation that you feel is relevant to this meeting
please bring it with you.

You are entitled to be accompanied at the Disciplinary meeting by either a parent,
guardian, relative, carer, friend (other than a suspended or excluded student).

Please refer to the Student Guide to the Disciplinary and Behaviour Management
Policy and Procedure for more information, this can be found on Moodle under
Student Services/A-Z of Student Guides. If you are unable to access the guide on
Moodle, please pick up a copy from Broxbourne or Ware Reception.

If the misconduct is upheld, the outcome may be a written warning about your
future behaviour and/or an action plan agreed with you to bring about the necessary
improvements.

If the date or time is not convenient, please ask me to re-arrange the meeting for a
more convenient one, however, it is important this is in a timely fashion so we may
not be able to rearrange so that others such as parents/carers can attend. If you do
not attend the meeting arranged and have not asked for another date or time or it
cannot be rearranged, the meeting will go ahead in your absence and it may be
decided that the misconduct is proved.

You can view the details of this disciplinary meeting online, in the 'Meetings' section
of ProPortal. Hertford Regional College staff can access the meeting details online
via ProMonitor. Hertford Regional College's Disciplinary Policy also requires that we
make this information available to individuals outside the College, as follows:

- If you are under 18 or you are regarded as living at home under the sponsorship of
a parent/carers, a copy of this letter will be sent to your parent/carers, referral
agent or school, as appropriate.
- If you are in Work Based Learning, your Employer will receive a copy of this
letter.

As a student at HRC you have access to the college's welfare service where advisers
can support you in a number of ways including in this disciplinary process. You may
wish to discuss the help or support advisers can offer, in preparation for your
disciplinary meeting.

To make an appointment to see an advisor in Ware or Broxbourne, please contact:

(Ware) Robin Spicer, 01992 411974 or email rspicer@hrc.ac.uk

(Broxbourne) Dee Peters, 01992 411420 or email dpeters@hrc.ac.uk

However, if you are suspended any advice and support provided will be by phone or email as until the suspension is lifted students are not allowed on college premises.

Yours sincerely

Programme Manager

DOCUMENT 3 – Sample Letter: Outcome of Stage 1 Disciplinary Meeting

Reference:

Date

NAD

Dear

Stage 1 Outcome letter

Following the meeting that took place on _____, this is to inform you that the misconduct indicated in the letter to you (reference: _____), was upheld.

As a consequence, the following action plan will apply to you if you are to remain on the programme:

-
-
-
-

You should know that failure to keep to these conditions may lead to Stage 2 of the College's Disciplinary Procedure:

You can view the details of this disciplinary meeting online, in the 'Meetings' section of ProPortal. Hertford Regional College staff can access the meeting details online via ProMonitor. Hertford Regional College's Disciplinary Policy also requires that we make this information available to individuals outside the College, as follows:

- If you are under 18 or you are regarded as living at home under the sponsorship of a parent/carer, a copy of this letter will be sent to your parent/carer, referral agent or school, as appropriate.
- If you are in Work Based Learning, your Employer will receive a copy of this letter.

As a student at HRC you have access to the college's welfare service where advisers can support you in a number of ways including in this disciplinary process. You may wish to discuss the help or support advisers can offer, in preparation for your disciplinary meeting.

To make an appointment to see an advisor in Ware or Broxbourne, please contact:

(Ware) Robin Spicer, 01992 411974 or email rspicer@hrc.ac.uk

(Broxbourne) Dee Peters, 01992 411420 or email dpeters@hrc.ac.uk

However, if you are suspended any advice and support provided will be by phone or email as until the suspension is lifted students are not allowed on college premises.

Yours sincerely

Programme Manager

**DOCUMENT 4 - Sample Letter: Notification of Stage 2 Disciplinary Meeting
(including suspension)**

Reference:

Date

NAD

Dear

Student Disciplinary Procedure - Stage 2 Serious Misconduct

This is to inform you that you are required to attend a formal meeting on
at in room . This meeting will be conducted by myself.

The matter to be investigated is

. If you have any documentation that you feel is relevant to this meeting
please bring it with you.

(As appropriate)

You are (or) you remain suspended from College until the date of the meeting.
Suspension does not necessarily imply guilt on your part. It is to ensure a proper
environment in which to carry out any investigation. However, should you be seen
on College grounds before then, and without proper authorisation, this will be
treated as an act of gross misconduct.

You are entitled to be accompanied at the Disciplinary meeting by either a parent,
guardian, relative, carer, friend (other than a suspended or excluded student).

Please refer to the Student Guide to the Disciplinary and Behaviour Management
Policy and Procedure for more information, this can be found on Moodle under
Student Services/A-Z of Student Guides. If you are unable to access the guide on
Moodle, please pick up a copy from Broxbourne or Ware Reception.

If the misconduct is upheld, the outcome may be a written warning about your
future behaviour and/or an action plan agreed with you to bring about the
necessary improvements.

You will be written to within 5 working days of the meeting confirming what the
outcome is, and any actions or conditions that might be applied.

If the date or time is not convenient, please ask me to re-arrange the meeting for a
more convenient one. If you do not attend the meeting arranged and have not
asked for another date or time, the meeting will go ahead in your absence and it
may be decided that the misconduct is proved.

You can view the details of this disciplinary meeting online, in the 'Meetings'
section of ProPortal. Hertford Regional College staff can access the meeting details

online via ProMonitor. Hertford Regional College's Disciplinary Policy also requires that we make this information available to individuals outside the College, as follows:

- If you are under 18 or you are regarded as living at home under the sponsorship of a parent/carer, a copy of this letter will be sent to your parent/carer, referral agent or school, as appropriate.
- If you are in Work Based Learning, your Employer will receive a copy of this letter.

As a student at HRC you have access to the college's welfare service where advisers can support you in a number of ways including in this disciplinary process. You may wish to discuss the help or support advisers can offer, in preparation for your disciplinary meeting.

To make an appointment to see an advisor in Ware or Broxbourne, please contact:

(Ware) Robin Spicer, 01992 411974 or email rspicer@hrc.ac.uk

(Broxbourne) Dee Peters, 01992 411420 or email dpeters@hrc.ac.uk

However, if you are suspended any advice and support provided will be by phone or email as until the suspension is lifted students are not allowed on college premises.

Yours sincerely

Curriculum Area Manager

DOCUMENT 5 – Sample Letter: Outcome of Stage 2 Disciplinary Meeting

Reference:

Date

NAD

Dear

Stage 2 Outcome letter

Following the meeting that took place on _____, this is to inform you that the serious misconduct indicated in the letter to you (reference: _____), was upheld.

As a consequence, the following action plan applies to you if you are to remain on the programme and I must warn you that continued misconduct may lead to further disciplinary action:

-
-
-
-

You should know that failure to keep to these conditions may lead to Stage 3 of the College's Disciplinary Procedure.

You can view the details of this disciplinary meeting online, in the 'Meetings' section of ProPortal. Hertford Regional College staff can access the meeting details online via ProMonitor. Hertford Regional College's Disciplinary Policy also requires that we make this information available to individuals outside the College, as follows:

- If you are under 18 or you are regarded as living at home under the sponsorship of a parent/carer, a copy of this letter will be sent to your parent/carer, referral agent or school, as appropriate.
- If you are in Work Based Learning, your Employer will receive a copy of this letter.

As a student at HRC you have access to the college's welfare service where advisers can support you in a number of ways including in this disciplinary process. You may wish to discuss the help or support advisers can offer, in preparation for your disciplinary meeting.

To make an appointment to see an advisor in Ware or Broxbourne, please contact:

(Ware) Robin Spicer, 01992 411974 or email rspicer@hrc.ac.uk

(Broxbourne) Dee Peters, 01992 411420 or email dpeters@hrc.ac.uk

However, if you are suspended any advice and support provided will be by phone

or email as until the suspension is lifted students are not allowed on college premises.

Yours sincerely

Curriculum Area Manager

DOCUMENT 6 – Sample Letter: Suspension

Reference to include Student's ID number

Ware / Broxbourne Campus

Date:

Dear

Notice of Suspension pending Student Disciplinary Procedure – Gross Misconduct

Further to our conversation of today, you are hereby suspended from Hertford Regional College until further notice. An investigation into the incident that you were involved in will be carried out. The Director of Curriculum will then write to you to invite you to return to College to attend a disciplinary Meeting.

You are not to enter the College premises during this period of suspension. If you do, this will be treated as an act of further misconduct. Security has been informed of your suspension and your student ID card has been cancelled until further notice.

This letter cancels any other disciplinary meetings which may have been arranged. A copy of this letter will be sent to your parent/carer (include as appropriate).

Yours sincerely,

Name

Director of Curriculum

DOCUMENT 7 - Sample Letter: Notification of Stage 3 Disciplinary Panel Hearing

Ref:
Date:

NAD

Dear

Student Disciplinary Procedure - Stage 3: Gross Misconduct (could delete if for attendance)

This is to inform you that you are required to attend a formal panel meeting as part of the above process on _____ at _____ in room _____. Please report to reception on arrival at the college.

The matter to be investigated is (*Nature of misconduct, could include relevant comment from ProMonitor*).

The panel meeting will be chaired by myself. Other members of the panel will be the Head of Student Services, the Curriculum Manager, and the student. If you have any documentation that you feel is relevant to this meeting, please bring it with you.

(If appropriate) You remain suspended from College until the date of the meeting. Suspension does not necessarily imply guilt on your part. It is to ensure a proper environment in which to carry out any investigation. However, should you be seen on College grounds before then, and without proper authorisation, this will be treated as an act of gross misconduct. You are entitled to be accompanied at the Disciplinary meeting by either a parent, guardian, relative, carer, friend (other than a suspended or excluded student).

Please refer to the Student Guide to the Disciplinary and Behaviour Management Policy and Procedure for more information, this can be found on Moodle under Student Services/A-Z of Student Guides.

You may be told at the meeting the outcome of the stage 3 panel hearing. Whether or not this happens, you will be written to within 10 working days of the panel meeting confirming what the outcome is and any actions or conditions that might be applied.

If the date or the time is not convenient, please contact the Directorate Administrator on _____ to re-arrange the meeting for a more convenient one. If you do not attend the meeting arranged and have not asked for another date or time, the meeting may go ahead without you and you will be written to regarding the outcome.

Hertford Regional College's Disciplinary Policy also requires that we make this information available to individuals outside the College, as follows:

- If you are under 18 or you are regarded as living at home under the sponsorship of a parent/carer, a copy of this letter will be sent to your parent/carer, referral agent or school, as appropriate.
- If you are in Work Based Learning, your Employer will receive a copy of this letter.

As a student at HRC you have access to the college's welfare service where advisers can support you in a number of ways including in this disciplinary process. You may wish to discuss the help or support advisers can offer, in preparation for your disciplinary meeting.

To make an appointment to see an advisor in Ware or Broxbourne, please contact:

(Ware) Robin Spicer, 01992 411974 or email rspicer@hrc.ac.uk

(Broxbourne) Dee Peters, 01992 411420 or email dpeters@hrc.ac.uk

However, if you are suspended any advice and support provided will be by phone or email as until the suspension is lifted students are not allowed on college premises.

Yours sincerely

Director of Curriculum

DOCUMENT 8 Summary Notes Template for stage 3 Disciplinary Hearing

First Name:.....Surname:.....ID No:.....

Date of Meeting:

Attendance at interview (names and roles):

.....
.....
.....
.....
.....
.....
.....

1. Introduction (chair outline purpose of meeting and possible outcomes)

2. Summary of evidence presented by staff:

3. Summary of student statement/ version of what happened:

4. Any other material / comments

5. Outcome of Hearing and actions if appropriate

Administrator must email a copy of notes to Quality and place on ProMonitor

DOCUMENT 9 – Outcome of Stage 3 Panel Hearing -Sample Letter

Ref:
Date:

NAD

Dear

Student Disciplinary Procedure – Stage 3 Panel Hearing Outcome

A stage 3 panel meeting was held on _____, which you attended, and during which evidence was discussed and considered.

(either) After careful consideration of the evidence presented, I am writing to inform you that the Stage 3 was upheld by the panel. As a consequence, the following action plan applies to you if you are to remain on the programme and I must warn you that continued misconduct may lead to your exclusion:

-
-
-
-

You should know that failure to keep to these conditions will lead to exclusion.

(or) After careful consideration of the evidence presented, I am writing to inform you that the Stage 3 was upheld by the panel. As a consequence a decision has been made to exclude you for the remainder of this academic year, if you were to apply to return in future years it would be on an action plan to help ensure a successful return.

I can understand this may be upsetting news. Please let us know if you require any support regarding your next steps, as this can be arranged for you by the college.

(or) After careful consideration of the evidence presented, I am writing to inform you that the Stage 3 was upheld by the panel. As a consequence a decision has been made to permanently exclude you from the college, this means you will not be able to continue your studies at this college and cannot apply for any future courses with us.

I can understand this may be upsetting news. Please let us know if you require any support regarding your next steps, as this can be arranged for you by the college.

In accordance with our policy, you have the right to appeal this decision within working 5-10 days of the date of this letter. Please refer to the Student Guide to the Disciplinary and Behaviour Management Procedure, this can be found on Moodle under Student Services/A-Z of Student Guides. Also the full policy is in our website in the policies section.

Hertford Regional College's Disciplinary Policy also requires that we make this information available to individuals outside the College, as follows:

- If you are under 18 or you are regarded as living at home under the sponsorship of a parent/carer, a copy of this letter will be sent to your parent/carer, referral agent or school, as appropriate.
- If you are in Work Based Learning, your Employer will receive a copy of this letter.

As a student at HRC you have access to the college's welfare service where advisers can support you in a number of ways including in this disciplinary process. You may wish to discuss the help or support advisers can offer, in preparation for your disciplinary meeting.

To make an appointment to see an advisor in Ware or Broxbourne, please contact:

(Ware) Robin Spicer, 01992 411974 or email rspicer@hrc.ac.uk
(Broxbourne) Dee Peters, 01992 411420 or email dpeters@hrc.ac.uk

However, if you are suspended or excluded any advice and support provided will be by phone or email as until the suspension or exclusion is lifted students are not allowed on college premises.

Yours sincerely

Director of Curriculum

Appendix 10

Covid annex for disciplinary procedure

Please note we are constantly reviewing government guidelines and content is open to change.

During the present pandemic the following extra measures apply:

- All members of HRC will adhere to the 2 metre social distancing guidelines where it is possible.
- To encourage social distancing the college reserves the right to ask students to leave the college and return home, where necessary.
- Staff and students will take every precaution to reduce the risk of virus transmission by regularly washing hands, applying hand sanitiser, keeping work areas clean and making use of the cleaning materials provided
- Any incidents of spitting on College premises will result in disciplinary action.
- Failure to adhere to all College health and safety rules in relation to Covid19 will result in immediate disciplinary action.
- Students should not be on campus if they are not completing educational work or have some form of meeting.
- If a student attends college with any symptoms of suspected Coronavirus, they will be sent home and not given access to the campus. Health and safety regulations will be followed when this cannot be achieved immediately.
- Students deemed to be purposefully endangering others health and safety in respect of Covid are engaged in Gross Misconduct.
- Students who cannot adhere to social distancing may be asked to leave campus and may face disciplinary action.
- All students arriving on campus are expected to sanitise hands, failure to do this may mean being asked to leave campus and possible disciplinary action. Also students must regularly wash hands throughout the day.
- Students must remain in areas designated to them, failure to do this may mean being asked to leave campus and possible disciplinary action.
- Attending campus from a household that is in isolation is not allowed, anyone doing so will be immediately sent home and there will be possible disciplinary action.
- Staff and students will continue to implement safe use of the internet
- Use of inappropriate language or behaviour within any IT platform affiliated with the College is not acceptable and will trigger a phone call to parents/Carers and an appropriate sanction this may lead to denial of access as well.
- Use of threatening, aggressive language or behaviour and any other inappropriate behaviour with in any IT platform affiliated with the College, towards staff or students, from either students or family, will result in an immediate denial of access followed by disciplinary action.
- Recording of online classes/meetings is not permitted. Also the sharing of images/recordings of classes/meetings should not occur. Students doing this may face disciplinary action.
- Management of meetings, meetings may be held via Teams in the present context as per our procedure notes will be taken and the meeting should not be recorded. Consent will not be given for recording.



Appendix 12

Risk Assessment

Risk assessment for student A

| What are the risks to the well-being and safety of student A /others | What measures are required to manage the risk/concerns? | Action by whom and by when? | Completed |
|--|---|-----------------------------|-----------|
| Academic progress – student A failed to submit two pieces of coursework within the prescribed deadline | | | |
| Personal health and well-being – student A has a history of mental health difficulties | | | |
| Safety – student A is concerned that student B will approach her and be abusive towards her | | | |
| [Others] | | | |
| | | | |

Review date

Appendix 13: Presentation of evidence

Particularly in a stage 3 meeting a Curriculum Area Manager will need to present evidence around the students Gross Misconduct. As stated above some of this may need to be dealt with sensitively to protect the confidentiality of other students.

- The use of other students' names should be avoided.
- If possible, statements should be collected from witnesses including staff and relevant CCTV evidence.
- If the matter is complex produce a summary of events.
- In the case where a large amount of social media posting or other forms of communication are referred to, ensure relevant parts are highlighted or the relevant parts are put together in one document.
- There should be clarity around the reason that the student has reached this disciplinary stage.
- The student before the stage 3 panel should be encouraged to submit a statement of events in advance and also if they have evidence to pass it on in advance.