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# Student Disciplinary and Behaviour Policy

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## 1 Purpose

- To positively establish and maintain the Student Charter and a culture of positive behaviour and good practice.
- To ensure a consistent approach across the College towards maintaining student discipline and encouraging positive behaviour and professional standards.
- To ensure student misconduct is addressed in a timely manner.
- The shared and consistent ownership of student attendance, behaviour and professional standards by all staff, across all elements of a programme or apprenticeship
- To provide direction for staff, students, parents, and employers on the disciplinary procedures to be adopted when the Student Charter is breached, and/or when gross misconduct occurs.

- 1.1 Early College students (pre 16) are subject to a variation of this policy which must be implemented in conjunction with the school at which the young person is on roll.
- 1.2 Although this Policy is applicable to students enrolled on Higher Education (HE) courses, it must be implemented in conjunction with any agreement held with the appropriate validating HE Institution.
- 1.3 The employer of an apprentice involved in a disciplinary process will be informed and if the misconduct occurred in the place of work, the disciplinary may be implemented in conjunction with the employer's code of conduct / disciplinary process.

## 2 Scope

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2.1 The Disciplinary Policy reflects and supports:

- The Student Charter
- The College's Strategic Plan
- Policies and procedures on student welfare, including safeguarding, disability and mental health, substance misuse, Fitness to Study or Practice
- Other relevant College policies and procedures
- The rules of natural justice
- The principles of restorative practice

## 4 Implementation

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3.1 The implementation of this Policy should take into account:

- Seriousness of the misconduct

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- Current legislation
- The role of parents/carers and employers
- The age and circumstances of the student

3.2 The College has an obligation to ensure a fair disciplinary process for students. Students will be given a copy of the Student Charter on joining and will be informed how to access College Policies as part of their induction.

3.3 It is at the College's discretion to refer matters to the Police, unless required by law.

## 4 Responsibility for Student Discipline

4.1 All staff have a responsibility for helping to promote positive behaviour and conduct. Staff can seek advice from their line manager in relation to any breach of Student Charter.

4.2 All members of staff have the authority to warn a student behaving in a manner that could lead to a breach of the Student Charter, informing them that their behavior is inappropriate and that disciplinary procedure could follow.

4.3 Students are required to read the Student Charter and sign electronically via ProMonitor during induction. Each student has a responsibility to acquaint themselves and comply with the Charter. The copy of the Charter is available on Moodle and displayed throughout the College. Accessible copies are available from Student Services.

## 5 Breaches of Discipline

5.1 Breaches of discipline may vary in severity, starting as the cause for concern and escalating to gross misconduct. Professional judgement will need to be made about the severity of each breach of Student Charter. The College reserves the right to start disciplinary proceedings at the level appropriate to the breach, including escalating straight to the alleged gross misconduct level, taking into consideration any previous disciplinary concerns. If in doubt, staff should contact the appropriate Learning / Training Leader or Head of School to ensure a consistent approach across the College. Examples of breaches are given in the Student Charter and Student Disciplinary Procedures. Where possible, Restorative Practice and/or action plans should be used to resolve minor conflicts without having to resort to formal disciplinary action.

## 6 Levels

6.1 There are three levels to the College Disciplinary Procedure:

- Informal Showing signs of concern

Stage one Verbal Warning

- Stage Two Written Warning
- Stage three Code of Conduct Contract or Exclusion

6.2 The Procedure will begin at the stage appropriate to the seriousness of the breach. Procedures for dealing with individual levels of student discipline are outlined in the College Disciplinary Procedure.

- 6.3 If a student is withdrawn/withdraws from the College during the disciplinary process, the Complaints and Reputation Officer must be informed and he/she will record this to ensure that appropriate procedures are followed if the student seeks re-admission at a future date.

## 7 Notification of third parties

- 7.1 Normally, if the student is under 18 or a vulnerable adult, copies of disciplinary documentation will be sent to the parents/guardians/carers. If applicable, copies will be sent to the student's sponsoring employer/agent. Data Protection rules apply and sensitive data should not be shared without the student's specific consent. However it is the College's statutory responsibility to refer matters to external agencies, if required.

## 8 Appeals

- 8.1 There is a right of appeal against suspension and also against the outcome of a gross misconduct disciplinary hearing. Details of the appeals process is set out in the relevant procedure.

## 9 Related policies

- Student Charter
- Fitness to Study / Practice
- Attendance Policy
- Student Progress Policy
- Bullying and Harassment Policy
- Drugs and Alcohol Policy
- Plagiarism Policy
- Safeguarding Policy

**Review frequency:** 1 year

**Lead officer:** Complaints and Reputation Officer

**Senior Manager Responsible:** Vice Principal Curriculum and Quality

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## Appendix 1 – Guidance

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### Definitions

**Disciplinary meeting:** This is a formal procedure.

**Days:** Reference to days means working days and excludes college closure days and school holidays.

**Suspension:** Following an incident, a student is instructed to leave College premises and to stay away from College temporarily, for up to 5 working days. In exceptional circumstances, the suspension may be extended if further investigation is necessary in order to decide a fair outcome. The student should be supported with their studies during the suspension period.

**Exclusion:** Following a disciplinary meeting, a student may be withdrawn from the College. After a defined period they may re-enrol subject to any provisions made by the Vice Principal Curriculum and Quality.

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## Appendix 2 – Supporting Documents

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- Disciplinary Procedure
- Disciplinary meeting invitation letter
- Disciplinary meeting outcome letter
- Stage three disciplinary meeting invitation letter
- Stage three disciplinary meeting / action outcome letter
- Appeal meeting invitation letter
- Appeal outcome letter
- Formal written warning letter
- Outcome notification letter for parent
- Outcome notification letter for employer
- Student suspension letter
- Disciplinary evidence form