

1. SCOPE AND PURPOSE

- This code applies to all students of the College, whether full-time or part-time, whether or not their course is validated by or associated with any other institution.
- This code sets out the level of conduct to which students are expected to adhere to. It also sets out the procedure, which should be followed where the code of conduct is breached.
- Breach of the code of conduct may lead to disciplinary action being taken against a student.
- Repeated breaches or a single very serious breach, may result in a student being suspended or excluded from the College.

2. STUDENT CODE OF CONDUCT

Student responsibilities

As a student at Sandwell College we aim to give you all the support and guidance you need to achieve success. The Code of Conduct is a guide to show you what we expect from students at the College so that we can help you to achieve in a supportive and non-threatening environment.

All students should comply with the following:

- Behave and speak in a way that does not offend others e.g. not using foul/abusive language, sexist or racist or homophobic behaviour or anti-social such as spitting.
- Headgear is not permitted at the College, unless for medical, safety or religious reasons.
- Seek help if needed.
- Treat everyone with respect. Any form of bullying or harassment will be treated seriously and may lead to exclusion from the College.
- Be on time and attend all lessons.
- Inform your tutor if you are absent or delayed.
- Agree with your tutor what you need to do to catch up if you have been absent.
- Work hard in class to learn.
- Complete work set outside the lesson on time.
- Meet deadlines for assignments and projects.
- Make sure all work produced for assignments and exams are your own work. Where information is used from another source this must be referenced appropriately. Plagiarism and/or cheating may lead to disciplinary action by the College and/or Awarding Body/Examinations Board.
- Treat all College property with respect.
- Wear your ID badge at all times so that it is easily displayed.

- Follow the College's Health and Safety rules at all times.
- Switch off your mobile phone in class, Learning Centres/Learning Bases.
- Do not take any food or drink into classrooms, Learning Centres/Learning Bases, workshops or salons. (Still water may be allowed in a sport style bottle).
- Let others work in peace.
- Do not use radios, MP3/CD players or wear earphones in corridors, classrooms, Learning Centres/Bases, or other teaching areas unless part of your formal lesson or agreed by your tutor.
- Smoking (including electronic cigarettes) is not permitted on College premises or in any part of the College grounds
- Dispose of litter responsibly by using bins and recycling collection points located in/around the College.
- You are only allowed to consume hot food within the College which has been purchased from the College catering service
- Comply with the request of removing of coats/jackets if requested by your tutor in classrooms

Students who do not follow the above guidelines will be supported by lecturing and support staff to work through any problems. Where a student continues to break the Code of Conduct, the Student Disciplinary Procedure will be implemented.

3. STUDENT PROBATIONARY PERIOD – PASSPORT TO LEARN

Passport to Learn

All students will undergo a six week period of probation in which they will be assessed in terms of academic progress, commitment (including timekeeping and absenteeism), behaviour and general suitability for study at the College.

Any student who fails to adhere to the student code of conduct during this period, or who is deemed to be unsuitable for the course can be withdrawn from the course by their Head of Department. Students can be withdrawn from the College during this period without reference to the three stages of the code (section 6)

Students and parents (when students are below the age of 18) will be notified where there is concern that a student may fail his/ her probation. Students and parents will be offered a meeting with the course team leader and / or Head of Department. At this meeting concerns will be discussed and actions to prevent withdrawal will be agreed.

All students who are withdrawn from a course will be offered an exit interview from a College Careers Adviser. Students and parents will be notified in writing of the reasons for the withdrawal by the team leader / Head of Department.

4. MISCONDUCT

The following are examples of misconduct, which may result in disciplinary action being taken against students:-

- any breach of the Student Code of Conduct
- any failure to follow the reasonable instructions of a member of staff or security staff
- persistent failure to clearly display identification badges
- any misbehaviour in any area of the College
- any incident of swearing or confrontational behaviour against a member of staff
- any smoking in college buildings or in any part of the College
- any cheating, plagiarism or copying of the work of other students (please refer to Academic Misconduct policy).
- any unduly noisy or any unruly behaviour or the use of foul or inappropriate language
- disrupting any class or any other College activity
- deliberately or by gross negligence causing damage to any College buildings, equipment, IT equipment, books or furnishings or any property of others. This includes non-return of College library books following 2 reminders. Where the student is between ages of 16-18 years on a full-time course, then the parents will be informed of the non-return of books
- any unauthorised access, use of, or interference with software or data belonging to or used by the College in line with computer usage and Acceptable use of ILT policies
- any theft of property or any other dishonest acts
- being under the influence of alcohol or drugs on College premises or on any external activity (i.e. field trips, visits, residential etc).
- possession, use or supply of any illegal drugs
- any bullying, intimidation, taunting, verbal abuse, defamation of character or the use of any violence or threat of violence towards any person
- any behaviour which is racially or sexually offensive or which is offensive to those with learning and/or physical disabilities
- any behaviour which could bring the College into disrepute (e.g. misbehaviour in public areas adjacent to the College, or on transport provided through the College)
- any illegal act which may have an adverse effect on the work of the College or on other students
- any contravention of regulations regarding the receipt of Learner Support Funds or any other grant monies
- any act which is in direct contravention of the College's policies or procedures on Equality & Diversity, disability, ethnicity, gender, sexual orientation, age, religious belief or gender reassignment.
- any incident which impinges on personal space and privacy i.e. misuse of cameras, videos, mobile phone cameras or videos etc., where consent has not been obtained
- Inappropriate use of Information Technology, including cyber bullying (refer to the acceptable use of ILT policy).

5. GROSS MISCONDUCT

Any serious cases of misconduct as outlined above may be treated as gross misconduct e.g. violence, bullying/intimidation, damage to, or theft of property, endangering health or safety of others, accessing pornography or other offensive websites on College computers, possession of an offensive weapon, or any criminal activities affecting the College or its staff and students (note this list is not exhaustive).

6. THREE STAGES OF THE CODE

6(a) First Stage

Cases of misconduct may be dealt with through an interview with the course team leader or personal tutor. Where the misconduct is admitted or proved beyond reasonable doubt, the outcome of the interview will be a first written warning, unless the interview results in the misconduct being referred to the second stage. The course team leader or personal tutor should keep a written record (using the written warning pro forma) and attached to the student's e Tracker file. Where the student is under the age of 18 a copy of this warning letter will be sent out to parents / guardians.

6(b) Second Stage

Where misconduct is of a more serious nature, or there have been previous warnings, an interview with the Team Leader and Head of Department (or equivalent) will take place.

Where the misconduct is admitted or proved beyond reasonable doubt, the outcome of the interview will be a final written warning, unless the interview results in the misconduct being referred to the third stage. The Head of Department should keep a written record (using the written warning pro-forma) and attached to the on the student's e tracker file. Where the student is under the age of 18 a copy of this warning letter will be sent out to parents / guardians

Where the misconduct continues a Head of Department, in consultation with the relevant Team Leader, can recommend a "Third Stage Panel hearing" to a Head of Department. Form DP3 will need to be completed stating the reasons for this action. The Director of Student Services on receiving this recommendation will respond directly to the relevant managers outlining the reasons whether or not to proceed to a Third Stage Panel hearing.

6(c) Third Stage Panel Hearing

Where the misconduct complained of is of a very serious nature (gross misconduct as defined in Section 5) or after a previous second stage warning, the student will be suspended from College, pending an investigation (refer to section 9) and asked to attend an interview. The interview panel will consist of a Chairperson (Director of Student Services or other College Manager). The panel will also consist of and College Manager and an independent member of staff. An Investigating Officer may also be present. The student will be given 3 days notice in writing stating:-

- a) Nature of the misconduct allegations and summary evidence.
- b) Confirmation of the time and place of interview.

- c) The student will be entitled to be accompanied by a friend, student representative or relative (but not a legal representative). Where a student requires support to present their case this should be discussed with the chair of the panel hearing.
- d) After hearing the student's case, the third stage panel will reach a decision.
- e) The possible outcomes from a disciplinary hearing are:
 - the allegation(s) is/are not proved
 - the allegation(s) is/are proved and no further action is taken
 - the allegation(s) is/are proved and a written warning is issued
 - the allegation(s) is/are proved and a final written warning is issued
 - the allegation(s) is/are proved and a recommendation is made to the Deputy Principal that the student is excluded from the College for either a fixed period of time or until such time as the Principal gives written permission for the student to return to the College and/or re-enrol.
- f) The Panel, in reaching its decision, will determine the period of time during which the outcome is to be effective. For example, the Panel may determine that a written warning will be effective for a period of six months from the date of the disciplinary hearing.
- g) The Panel also has the discretion to attach conditions to its decision e.g. restrictions on access to the College provided that this does not interfere with the student's programme of study, or, a requirement that the student signs in and out of the College each day, or, the student must meet requirements for attendance or timescales for submission of academic work. The Panel will designate a person to monitor the student's compliance with the conditions imposed. Again, the Panel will determine the period of time during which the conditions are to be effective. Failure to comply with these conditions may result in further disciplinary measures being taken or the time-scales involved being extended. The chair of the panel will apply sanctions to the individual student e tracker file unless the outcome emanates from a confidential evidence base.
- h) The student or his/her representative should be allowed an opportunity where a case is proved, to make a plea of mitigation.

7. NOTIFICATION OF THIRD STAGE PANEL HEARING OUTCOME

- a) Normally within 5 days of the Third Stage Panel, the student will be given written confirmation of the outcome of the Panel Hearing.
- b) If the recommendation from the Panel was for exclusion, a letter will be received from the Deputy Principal either upholding the Panel decision or confirming a different outcome.
- c) The outcome of a Hearing will be copied to the Executive PA, and also copied to the Head of Department and Team Leader.

8. APPEAL AGAINST THIRD STAGE PANEL HEARING OUTCOME

- a) The student will have the right to appeal to the Principal or Vice Principal (Students & Diversity) against any third stage panel-hearing outcome. Notice of appeal must be lodged with the Principal within 10 days of the date of receipt of written confirmation of the third stage panel-hearing outcome and must give the grounds for, and brief particulars of the appeal.

A copy of the appeal process will be sent to the student who has received an Outcome of a Student Disciplinary Hearing notification.

If notice of appeal is lodged within the time allowed, an appeal interview with the Principal will be arranged to take place within 10 working days of the notice of appeal being lodged. The student will then be informed of the date of the appeal hearing.

At the appeal interview, the student will be invited to explain the grounds of the appeal and to state his or her case.

The Chair Person of the Third Stage Panel Hearing will be asked to respond to the appeal and explain the reasons for the hearing outcome.

- b) If the appeal is dismissed, the outcome of the original hearing will stand.
- c) Within 5 days of the appeal interview, the final decision will be confirmed in writing to the student and to appropriate staff within the College.

9. SUSPENSION PENDING INTERVIEW

- a) A student may be suspended from College by the Head of Department where there is reason to believe that the student has committed an act of serious or gross misconduct or where previous warnings have been issued. The suspension will enable an investigation to take place. The Personal Assistant to the Executive Team must be notified immediately of all suspensions. The Executive PA will confirm the suspension in writing to the student within 5 working days. Where the student is between 16-18 years, parents or guardians will be informed by the suspending officer. An investigating officer will be appointed who will collate all necessary evidence at this stage and liaise with the Head of Department. A Duty Manager has the right to issue a suspension when it is believed that the student poses a threat to others and therefore needs to be removed from the premises.
- b) The College has the right to suspend students from training agencies, employers, partner institutions and thereafter the appropriate disciplinary code will apply.
- c) The Manager who issues the suspension will need to inform the student of the reasons for suspension and remove the student's ID badge pending an investigation and a formal disciplinary panel. This Manager will be required to complete a witness statement and inform the appropriate Head of Department. Where the student is under the age of 18 the Manager will need to inform parents / guardians.

10. CRIMINAL OFFENCES

- a) Where any member of staff has reason to believe that a student may have committed or may be intending to commit a criminal offence, the College may refer the matter to the police and may continue disciplinary proceedings under this procedure or suspend the student pending the outcome of police enquiries and any charges which may be brought against the student. Where the student has been suspended under this provision, when the results of those enquiries and

any criminal proceedings are known, the College reserves the right to recommence proceedings under this procedure in relation to the matter.

- b) In any disciplinary action relating to alleged criminal offences the College is not bound by the results of any criminal proceedings against students.

11. CONDUCT OF INTERVIEW

- a) Disciplinary and appeal interviews under this code will be conducted fairly and firmly by the member of staff conducting the interview, and notes will be kept.
- b) The member of staff conducting the interview may exclude from the proceedings any person (including the student or the student's friend, representative or relative) who behaves unreasonably or who disregards the instructions of the member of staff with regard to the interview. If the student does not attend any interview, disciplinary action may nevertheless proceed.

12. STUDENTS UNDER 18 / SPONSORED STUDENTS

- a) If a student under 18 years of age is the subject of proceedings under this Code, wherever practicable a parent or guardian will be invited to attend any disciplinary or appeal interviews (in addition to any friend or student representative), unless in the view of the member of staff conducting the interview, such attendance would be prejudicial to a fair and effective interview. If a student under the age of 18 is given a written warning or excluded or suspended from the College, a parent or guardian will be informed in writing whenever practicable.
- b) If a student who is being sponsored at the College by an employer, training agency or a partner institution (i.e. university) is given a written warning or excluded or suspended the employer, partner institution or training agency will be informed whenever practicable.

13. SCHOOL PUPILS 14-16 YEARS

- a) Instances relating to the discipline of school pupils will be dealt with in accordance with school/college agreed processes.
- b) Where the College is to take the lead, the process will be as follows:-
- instances of misconduct will evoke written warnings by tutors – records will be kept on file
 - repeated instances of misconduct will be treated as a second Stage process and a final written warning will be given to the pupil by the Head of Department. The school contact will be informed by the Head of Department
 - gross misconduct or further instances of misconduct will evoke the third stage of this procedure.
The school contact and the parent will be informed by the Head of Department or the Director of Student Services. The pupil will be suspended from College pending an investigation
 - the pupil will have the right to appeal as outlined in this procedure

14. ADULTS WITH LEARNING DIFFICULTIES AND ESOL LEARNERS

Incidents involving adults with learning difficulties will require full liaison with the appropriate Head of Department or Director of Student Services at the early stages to ensure that all students involved are given support at all stages. In addition involvement of key workers, social services or other staff may be required.

The college will need to take account of the need to provide language support for both the learner who may be disciplined and for Parents where English may not be the first language.

Learners may not act as interpreter for their parents where language is a barrier.

Where an interpreter cannot be facilitated as necessary then the hearing will collapse and must not be carried out as this will discriminate against the individual and their parents and or guardian.

15. VARIATIONS AND AMENDMENTS TO THIS CODE

- a) In some cases it may be desirable that variations should be made to procedural aspects of this code. The College may make such variations as it sees fit, subject to informing the student concerned and subject always to considerations of fairness. Without limitation, such variations may include disciplinary or appeals interviews being conducted by different persons, if the person who would otherwise be conducting the interview has previously had close personal involvement in the matter to be considered.
- b) This code may be amended by resolution of the Governors from time to time.

16. MONITORING & REVIEW

The Student Disciplinary procedure will be reviewed and updated by the Vice Principal (Students & Diversity) on an annual basis and approved by the Executive team and the Learner, Quality and Curriculum Committee.

1. PURPOSE

- 1.1 To hear appeals from students against the decisions of any disciplinary panel on the grounds referred to in paragraph 2.1.

2. PROCEDURE

2.1 Grounds for Appeal :-

- 2.1.1 Evidence that the judgement of at least one member of the panel at the disciplinary hearing was impaired
- 2.1.2 Evidence that the previous disciplinary hearing was not conducted according to procedures
- 2.1.3 Emergence since the first hearing of relevant new evidence
- 2.1.4 Plea for leniency, based on past performance and behaviour
It is suggested that when opening the disciplinary hearing then these grounds for appeal are read out to the student their parents and guardian/supporter and interpreted as necessary.

2.2 An appeal must be received within 10 College working days from the date of the letter informing the student of the outcome of the Disciplinary Hearing. A student must give notice of the appeal, in writing, to the Personal Assistant to the Executive Team, stating their grounds for the appeal.

2.3 2.3.1 Where the appeal is against a first or final written warning, the Executive Team Personal Assistant will convene a meeting between the student and a member of the Executive Team, within 10 College working days of receipt of the grounds of appeal. The student will then be informed of the date of the appeal hearing. At the appeal hearing the ET member will be accompanied by the appropriate college manager

2.3.2 Where the appeal is against the student's exclusion from the College, the Executive Team PA will convene a meeting between the student and the ET member, within 10 College working days of receipt of the grounds of appeal. The student will then be informed of the date of the appeal hearing. At the appeal hearing the ET member will be accompanied by the appropriate college manager.

2.3.3. The student will be sent a copy of the Student Disciplinary Appeals Procedure.

2.4 The student will be informed that he/she may be represented or accompanied at the appeal hearing by one of the following: a parent, relative, friend, personal tutor, Welfare officer or a Students' Union / liaison representative. The Student must notify the Executive Team Personal Assistant, at least 2 College working days in advance of the hearing of any representative they

will have at the hearing. Should the student choose to be represented or accompanied by a lawyer, the College reserves the right to instruct a lawyer to represent it at the hearing. Student Welfare is available to advise students that find themselves subject to disciplinary appeals procedures.

- 2.5 The student should submit any documentary evidence they wish to be considered at the appeal hearing to the Executive PA at least 2 College working days prior to the hearing.
- 2.6 The student and ET member will have details of preceding disciplinary hearings, including copies of DP1 forms, (Student Disciplinary Hearing – Record of Hearing) correspondence and investigative reports.
- 2.7 At the commencement of the appeal hearing, the student will be asked to explain the grounds for their appeal and state his/her case, which must relate to at least one of the grounds for appeal. Witnesses will not normally be asked to attend appeal hearings except in relation to any relevant new evidence, which has come to light since the decision of the Student Disciplinary Panel was made.
- 2.9 The Principal or Vice Principal may reach the following conclusions:-
 - 2.9.1 Uphold the decision of the Student Disciplinary Hearing
 - 2.9.2 Overturn the decision of the Student Disciplinary Hearing
 - 2.9.3 Amend the decision of the Student Disciplinary Hearing (the Executive Team member may impose a greater sanction against the student than that determined by the Student Disciplinary Panel).
 - 2.9.4 Remit the matter back for a new disciplinary panel to re-hear the case.
 - 2.9.5 Request further information before reaching a conclusion. In such circumstances, the appeal may be adjourned for a maximum of 10 College working days. Any further information obtained will be made available to the student at least 2 College working days prior to the adjourned hearing.
- 2.10 The proceedings and outcome of the Disciplinary Appeal Hearing will be documented using Form DP2 by the Executive Team Member, within 5 College working days from the date of the hearing. This form should then be copied to the relevant Director of Learning, the Quality Unit, and a copy should be placed on the student's personal portfolio/File.
- 2.11 The decision of the ET Member must be communicated to the student, in writing, within five College working days of the date of the appeal hearing. This decision of the Principal is final; there will be no further appeal mechanism within the College.
- 2.12 Having exhausted the College's Appeal Procedure, a student who has been excluded from the College has the right to make a complaint to the YPLA / SFA. This is not an appeal and the YPLA/SFA will not hear evidence or seek to substitute its own decision for that of the College. However, the YPLA /SFA will undertake an enquiry to consider whether the College has followed its own procedures. The contact details for the YPLA/SFA are available from the Executive Team PA.

3. NOTES

All appeal hearings will be noted by an independent member of staff of the College and agreed by the Executive Team member.


4. TIMING

4.1 With the exception of the time allowed for lodging an appeal, time periods stated in this Procedure are for guidance and may be varied with the agreement of both parties, if it is not practicable to adhere to them. Written notice of any such variation will be given.

5. EXECUTIVE PA

5.1 The Executive Team PA can be contacted at:

Central Campus
Sandwell College
1 Spon Lane
West Bromwich
B70 6AW
0121 667 5005

| | |
|--|---|
| <p>STUDENT DISCIPLINARY HEARING Record of Hearing</p> |  |
|--|---|

Student Details

| | |
|-------------------------|---|
| Name: _____ | Date of Birth: _____ |
| Address: _____ _____ | Gender: _____ |
| _____ | Person Code: _____ |
| _____ | Programme of Study: _____ |
| _____ | Mode of Attendance: <u>Full Time</u> <u>Part Time</u> |

Parent/Close Relative Involvement in Disciplinary Process: YES/NO

Student Disciplinary Panel/Hearing

| | |
|-----------------------------|----------------------------|
| Date/Time of Hearing: _____ | Location of Hearing: _____ |
|-----------------------------|----------------------------|

Membership of Panel:

1. _____ Authorised Representative (Chairperson of Panel)
2. _____ College Manager
3. _____ Independent Member of Staff

In Attendance:

| | |
|----------------------------|---|
| _____ | Investigating Officer (Presenter of College Case) |
| _____ | Presenter of Student's Case |
| _____ | Name of Student's Representative |
| College's Witnesses: _____ | Student's Witnesses: _____ |
| _____ | _____ |
| _____ | _____ |

Student Disciplinary Panel's Conclusion (to include details of allegation/incident and reasons for decision)

Outcome of Hearing

- the allegation(s) is/are not proved
- the allegation(s) is/are not proved, however, conditions are attached to continued study
- the allegation(s) is/are proved and an informal reprimand is issued
- the allegation(s) is/are proved and a verbal warning is issued
- the allegation(s) is/are proved and a written warning is issued
- the allegation(s) is/are proved and a final written warning is issued

The above outcome is effective until _____

- the allegation(s) is/are proved and a recommendation is made to the Vice Principal that the student is excluded until _____ (DATE)
- the allegation(s) is/are proved and a recommendation is made to the Deputy Principal that the student is excluded from the College for either a fixed period of time or until the Principal gives written permission for the student to return to the College and/or re-enrol.

Recommendation to exclude student – APPROVED / NOT APPROVED

Signed _____ (Deputy Principal) Date _____

Conditions Imposed Upon the Student (if any)

The above conditions are effective until _____

Name of Person Designated to Monitor the Student's Compliance with Conditions Imposed _____

Signed (AR) _____ Date _____

Letter copied to Parent/Guardian YES/NO

Name of Parent/Guardian _____

DP1 copied to:

Vice Principal _____ Head of Department _____

Quality Unit _____ Student's Personal Portfolio/File _____

Other _____
(please specify)


PLEASE ATTACH TO THIS FORM ALL STATEMENTS, REPORTS AND NOTES ARISING FROM THE DISCIPLINARY HEARING.

FOR STANDARD UNIT USE ONLY

Date DP1 copied to Student Records _____

Date on which Appeal Period Expires _____

Date of Receipt of Letter of Appeal (if any) _____

| | |
|--|---|
| <p>STUDENT DISCIPLINARY APPEALS HEARING Record of Hearing</p> |  |
|--|---|

Student Details

| | |
|--|---------------------------|
| Name: _____ | Date of Birth: _____ |
| Address: _____ _____ | Gender: _____ |
| | Person Code: _____ |
| | Programme of Study: _____ |
| Parent/Close Relative Involvement in Disciplinary Process: | YES/NO |

Student Disciplinary Appeal Hearing

| | |
|-----------------------------|----------------------------|
| Date/Time of Hearing: _____ | Location of Hearing: _____ |
|-----------------------------|----------------------------|

Membership of the Appeals Panel:

| | |
|----------|---|
| 1. _____ | Principal |
| | or |
| | Vice Principal / Member of the disciplinary panel |
| 2. _____ | Accompanied by a college manager |

In Attendance:

| | |
|----------------------|---|
| _____ | Presenter of Student's Appeal |
| _____ | Name of Student's Representative |
| _____ | Authorised Representative (Presenter of College's Response) |
| College's Witnesses: | Student's Witnesses: |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| Note taker : _____ | |

Grounds of Appeal:

Student Disciplinary Appeals Panel Conclusion

Outcome of Hearing

The outcome of the Student Disciplinary Appeal hearing held on _____ is that:
(Date)

- The Decision of the Student Disciplinary Hearing is upheld
- The Decision of the Student Disciplinary Hearing is over-turned
- The Decision of the Student Disciplinary Hearing is amended as follows:

- Further information is requested

Signed _____ (Principal or Vice Principal) Date _____


Letter to Student detailing Appeal Outcome _____
(Date of Letter)

Letter copied to Parent/Guardian YES/NO

Name of Parent/Guardian _____

DP2 copied to: Director of Curriculum _____
Head of Department _____
Quality Unit _____
Student's Personal Portfolio _____
E tracker
Other _____
(please specify)

PLEASE ATTACH TO THIS FORM ALL STATEMENTS, REPORTS AND NOTES ARISING FROM THE DISCIPLINARY APPEAL HEARING.

| | |
|---|---|
| <p>STUDENT DISCIPLINARY HEARING Third Stage Panel Recommendation</p> |  |
|---|---|

Team Leader/Head of Department must provide relevant information for a recommendation for a “Third Stage Panel Hearing”

Student’s name: _____ Programme/Subject: _____

Subject tutor’s name: _____

Outline your reasons for recommending this student for a Third Stage Panel Hearing:

**Are you recommending a final written warning or exclusion?
Please state your reasons**

Signed

Team Leader _____ Date _____

Head of Department _____ Date _____

Copies: Director
Course tutor file

**STUDENT DISCIPLINARY HEARING
Review Report**



Curriculum Managers (Deputy Directors of Curriculum, Heads of Department, Team Leader) must provide the following details with all “Third Stage Panel Hearing” evidence for consideration

Student’s name: _____ Programme/Subject: _____

Subject tutor’s name: _____

Please indicate the progress to date of the named student by ticking one or more boxes below:

| Progress Criteria | Excellent | Good | Satisfactory | Unsatisfactory | Unacceptable |
|--------------------------|------------------|-------------|---------------------|-----------------------|---------------------|
| Attendance | | | | | |
| Punctuality | | | | | |
| Meeting deadlines | | | | | |
| Performance in class | | | | | |
| Attitude to work | | | | | |
| Key Skills | | | | | |

Student accesses additional learning support e.g. Study Link Yes / No

Indicate total number of student disciplinary records (cause for concern notes) for this student

Current Performance Grade / Level Potential Target Grade Challenge Target Grade

Please provide additional comments:

Subject Tutors Comments:

Tutors signature: _____ Date: _____

- Copies: Top Copy - Chair person
- Second Copy - Head of Department
- Third Copy - Course Tutor file

[See guidelines over page]

SUBJECT REVIEW / REPORT GUIDELINES

Attendance

| | |
|--------------|----------------|
| 95 – 100% | Excellent |
| 90 – 95% | Good |
| 80 – 90% | Satisfactory |
| 75 – 80% | Unsatisfactory |
| 75% or below | Unacceptable |

Punctuality

Excellent
Good
Satisfactory
Unsatisfactory
Unacceptable

Meeting Deadlines and performance in assignment/homework

Excellent, always hands work in on time
Good, usually hands work in on time
Satisfactory, occasionally hands in work late
Unsatisfactory, frequently hands in work late / falling behind
Unacceptable, always hands in work late / work outstanding

Performance in Class

Excellent – works with enthusiasm and commitment, independent approach
Good, works hard, with some research around the subject
Satisfactory, fulfils tasks set, limited independent approach
Unsatisfactory, below average, inconsistent, tasks often incomplete, extra effort in performance is required
Unacceptable, poor minimal performance, no commitment

Attitude to Work

Excellent, working with enthusiasm
Good, Works with commitment
Satisfactory, Average commitment
Unsatisfactory, below average commitment
Unacceptable – poor, minimal commitment

Model Letter Informing Student of their Suspension from College

Dear

Suspension from College

As a result of an incident that took place on (DATE) at Central Campus whereby (BRIEF DETAILS OF INCIDENT), I am writing to inform you that you are suspended from the College until the outcome of an investigation into the incident has been undertaken. During this period of suspension you must not re-enter College premises on any site, for any purpose, without first obtaining my express permission or that of the Principal.

Your suspension has been notified to Campus Receptions and security personnel.

This suspension is not part of any punishment for allegations that may have been made against you, but is made for reasons of security. (Optional Paragraph)

Yours sincerely

Vice Principal

Model Letter for Inviting a Student to a Student Disciplinary Hearing

Dear

Student Disciplinary Hearing

As a result of allegation(s) that have been made against you, you are invited to attend a disciplinary hearing which will be held on _____ (date), at _____ (time), in room _____, at Central Campus.

The following are details of the allegations made against you:-

-
-

These allegations contravene the College's Code of Conduct.

Due to the serious nature of the allegations, your suspension from the College will continue until the outcome of the disciplinary hearing has been determined.

The Student Disciplinary Panel, which will consider the allegations made against you, will comprise:-

| | |
|-------|---|
| _____ | Authorised Representative (Chairperson) |
| _____ | College Manager |
| _____ | Independent Member of Staff |

At the disciplinary hearing you have the right to be accompanied by one of the following: a parent, relative, friend, your personal tutor, Students Liaison representative or a Welfare Officer.

I enclose a copy of the documentary evidence and witness statements that have been received regarding the allegations made against you. I should be grateful if you would let me have copies of any documentary evidence or witness statements that you wish the Student Disciplinary Panel to consider.

I should also be grateful if you would let me know the name of any person that will be representing or accompanying you at the hearing, together with the names of any witnesses you wish to call.

Please ensure that I receive the above information by no later than _____

If you do not attend the above hearing, the investigation may proceed in your absence.

I enclose a copy of the Student Disciplinary Procedures.

Yours sincerely

Model Letter for Issuing a student with a First or Final Written Warning

Dear

First/ Final Written Warning (delete as applicable)

As a result of a recent student behaviour report I am writing to issue you with a first/final written warning (delete as applicable).

You are formally warned that any further breach of the College Code of Conduct, may lead to a formal disciplinary panel, which could result in your exclusion from the College until you are given written permission, by the Principal, to re-enrol.

The above outcome is effective until _____ (if applicable)

In addition, the following conditions now apply to you during your time at the College e.g.:

- You must sign in and out of College on each day that you attend.
 - You must meet the following attendance requirements, timescales for submission of academic work.
- etc.

The above conditions are effective until _____ (if applicable)

Your compliance with these conditions will be monitored by _____

Yours sincerely

**Model Letter for Informing a Student of the Outcome of a Student Disciplinary Hearing
TO BE AUTHORISED BY THE PANEL**

Dear

Student Disciplinary Hearing

As a result of the disciplinary hearing held on (date) _____ at Central Campus, I am writing to inform you / confirm that the decision of the Disciplinary Panel is that:

- ♦ the allegations made against you are not proved
- ♦ the allegations made against you are proved and:
 - You are formally warned that any further breach of the College Code of Conduct, which leads to disciplinary action will result in your exclusion from the College until you are given written permission, by the Principal, to re-enrol.

The above outcome is effective until _____ (if applicable)

In addition, the following conditions now apply to you during your time at the College e.g.:

- You must sign in and out of College on each day that you attend.
 - You must meet the following attendance requirements, timescales for submission of academic work.
- etc.

The above conditions are effective until _____ (if applicable)

Your compliance with these conditions will be monitored by _____

Please ensure that any letter of appeal includes details of your grounds for appeal. This should be made in writing, within 10 college working days of the date of this letter.

Yours sincerely

**Model Letter for Informing a Student of the Outcome of a Student Disciplinary Hearing
TO BE AUTHORISED BY DEPUTY PRINCIPAL**

Dear

Student Disciplinary Hearing

As a result of the disciplinary hearing held on (date) _____ at Central Campus, I am writing to inform you / confirm that the decision of the Disciplinary Panel is that:

- ◆ the allegations made against you are proved and:
 - You are excluded from your Programme of Study until September 20____.
 - You are excluded from all campuses of Sandwell College until you are given written permission, by the Principal, to re-enrol.
- etc.

Please ensure that any letter of appeal includes details of your grounds for appeal. This should be made in writing, within 10 college working days of the date of this letter.

We would like to offer you the opportunity to meet with our Welfare or Careers team now that you are leaving the College. They will be able to offer you advice on accessing new opportunities or support networks.

Please contact Paul Smith, our Careers Manager, on 0121 667 5000. Paul will be able to book you in to see the most appropriate person to help you.

Yours sincerely

Deputy Principal

WITNESS STATEMENT



NAME OF WITNESS

WITNESS DESIGNATION (Staff/Student/Other)

CAMPUS

DATE AND TIME OF INCIDENT

Please give details of the incident that you have witnessed, together with the names of the person(s) involved.

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I declare that I am willing for this witness statement to be used in any ensuing disciplinary or appeals hearing and that I am willing to attend any disciplinary or appeal hearing as may be required.

Signed

Dated

RECORDING AND REGISTERING OF STUDENT DISCIPLINARY ACTIONS

In accordance with the Student Disciplinary Procedures, the Executive Team PA is informed by the Chairperson of any Student Disciplinary Panel (AR,) of any student disciplinary actions, by receiving a copy of form DP1 "Student Disciplinary Hearing – Record of Meeting".

1. On receipt of a DP1 form, the following details are logged on a register of student disciplinary actions :
 - Student's Name, Address, Date of Birth, Programme of Study and Campus base
 - Date of the Disciplinary Interview
 - Reason for Action
 - Disciplinary Action taken
 - Period of Reprimand/Disciplinary Action
 - Parental Involvement
 - Police Involvement
 - Name of Authorised Representative
 - Date of Appeal (if any)
 - Dates information received by Executive Team PA and forwarded to Student Records
 - Date of Reports to Board of Governors/Learner, Quality and Curriculum Committee.

2. If an appeal is received (no later than 10 working days from the date of the letter informing the student of the outcome of the disciplinary hearing), the date on which the appeal letter is received by the Executive Team PA, is entered on the register of student disciplinary actions.

If a student has been excluded and has not appealed against this decision (i.e. within the 10 working days) a copy of the DP1 form is forwarded to Student Records.

If an appeal has been made the Executive Team PA will await the outcome of the Student Disciplinary Appeal Hearing before circulating the DP1 form as detailed above.

3. In the case of student exclusions, the date on which information is submitted to Student Records will be recorded on the register of student disciplinary actions. The Student Records Section are responsible for marking the relevant student's record "excluded until given permission to re-enrol" etc.
4. Brief details of student disciplinary actions relating to conduct will be reported to the next meeting of the Board of Governors, once the time limits for appeal have elapsed.
5. Brief details of the student disciplinary actions relating to poor performance/ attendance will be reported to the next meeting of the Learner, Quality & Curriculum Committee, once the time limits for appeal have elapsed.
6. The dates on which the Board of Governors/Learner, Quality & Curriculum Committee receives brief details of student disciplinary actions will be recorded.
7. At the conclusion of the appeals process/period the AR will forward to the Executive Team PA, within 5 College working days, the complete student disciplinary file for central storage. These files will be retained for a period of six years.
8. The Executive Team PA will maintain an on-going list of excluded students, which gives name, address, programme of study, campus and period of exclusion. This list will be updated at least termly and copied to the Executive Team, Heads of Department and Student Records.