

Welfare and Student Support Services

Student Code of Conduct & Student Academic Matters & Misconduct Disciplinary Procedures



The Policy was approved on: 01.08.2015

No.	Item	Detail
1	Introduction	<p>This document sets out the Code of Conduct to which all students of Weston College are expected to adhere in return for being enrolled with the College and being provided with educational training and other facilities / services.</p> <p>This document also sets out the procedures (Academic Matters and Misconduct) to be followed where the Code of Conduct is breached by a student.</p> <p>The Code of Conduct reflects the College's values; particularly those of respect, fairness, equality and diversity and serving students.</p> <p>Breaches of the Code of Conduct may lead to disciplinary action being taken against the student. Repeated breaches or a single Gross Breach may result in the student being suspended for a period of time or excluded from the College.</p> <p>The Code of Conduct applies to all students of the College (Full Time, Part Time, Apprenticeships or Higher Education) wherever they are as part of their course (College, associated premises including HE accommodation, work placement, residential, study visit etc.).</p> <p>The Code of Conduct applies whenever a student's behaviour could endanger themselves, other students, staff, visitors to the College and associated premises or members of the public.</p> <p>The Code of Conduct works within the requirement of the Disability Discrimination Act Part IV. Where students have a disability, including mental health issues or behavioural difficulties, reasonable adjustments will be made to ensure they are not discriminated against.</p> <p>Assessment will be made of the extent and reasonableness of the adjustments in any relevant disciplinary case.</p>
2	Code of Conduct	<p>Students have an obligation to:</p> <ul style="list-style-type: none">• Behave and use College premises/facilities in a way which respects and takes account of the needs and aspirations of all members of the Weston College community (students, staff, visitors and members of the public).• Familiarise themselves with the College's Health and Safety Policy and other regulations and act at all times in compliance with and with due regard to their own safety and that of others around them.• Familiarise themselves with the Equality and Diversity Learner's Guide and the RESPECT statements that underpin the learning culture at Weston College.

No.	Item	Detail
		<ul style="list-style-type: none"> • Respect the property of the College, its students, its staff and its visitors and support the maintenance of a clean and tidy College environment. • Attend punctually all planned learning activities (classroom and practical lessons, work placement / experience, tutorial, enrichment activities and sports academies). • Complete all homework, coursework, assignments, assessments or exams on time and in accordance with the assessment policy of the College or Awarding Body/Institute. • Notify, as soon as is practicable, absence from a lesson or scheduled activity in accordance with their faculty absence reporting procedure. • Abide by this Code of Conduct and by all other relevant College policies
3	Policy Review	This policy will be reviewed annually or when there are changes in the workplace such as new tools, systems or conditions.
4	Approval	CMT and Corporation Approval
5	Approval Dates	This Policy review was approved on 30.07.2015 This version takes effect from 01.08.2015 This Policy will be reviewed on 01.07.2016
6	Policy Owner	Identify the person that owns this Policy and can be approached in relation to this: LDD Innovation and Strategic Lead

Section 1: Student Disciplinary Procedure (Academic Matters)

No.	Item	Detail
1	Introduction	<p>Students are advised of what is expected of them through the Code of Conduct and should seek help from their Personal Tutor if they are in any doubt about its application.</p> <p>This procedure is designed to ensure that all students receive every possible assistance and support in order to continue and achieve their course.</p> <p>Parent(s)/Carer(s) (if students are under 18 or under 21 if they have learning difficulties or disabilities) and sponsoring employers will be informed if this procedure reaches Stage 1 or beyond and will be invited to accompany the student to meetings/hearings.</p> <p>Students have the right to appeal against a decision at any stage of this Disciplinary Procedure in accordance with Appendix F.</p>
2	Definition of Terms	<p>This procedure may be implemented when staff have just concerns relating to a student:</p> <p>Starting at Pre-Stage 1 (Cause for Concern/Informal Resolution)</p> <ul style="list-style-type: none"> • Punctuality • Attendance at College or work placement/experience • Lack of application to studies • Failure to adhere to homework/assignment/coursework schedules <p>Starting at Stage 2</p> <ul style="list-style-type: none"> • Plagiarism • Cheating • Other incidence of seeking to gain unfair academic advantage
3	The Procedure	<p>The Disciplinary Procedure (Academic Matters) comprises of four stages as set out below.</p> <p>Failure of a student to fulfil their academic responsibilities may result in suspension or exclusion from the course.</p> <p>Where a disciplinary stage is about to be entered into at or near the end of an academic term the appropriate meeting/hearing may need to take place at the beginning of the following term, although every effort will be made to conclude the matter during the intervening holiday period.</p>

4	The Stages	<p>Pre-Stage 1 (Cause for Concern/Informal Resolution)</p> <ul style="list-style-type: none"> • This stage is used to informally address a student’s academic performance which is giving Cause for Concern. • This stage is dealt with by the student’s Personal Tutor. • On receiving a verbal or written communication from any one of the student’s subject tutors the Personal Tutor will liaise with all of the student’s tutors to gain an overall assessment of the Cause for Concern. • The Personal Tutor will informally meet with the student to discuss the Cause for Concern and the required improvement, the timescale for improvement and how they will monitor it. • A Cause for Concern entry will be made in the student’s personal file. • If the Cause for Concern is concerning attendance or punctuality the student’s details will be passed to the Welfare and Retention Officer for recording on the “at risk” database. The Welfare and Retention Officer may choose to meet with the student and establish initial contact. • Outcome is recorded on the eILP by the Personal Tutor <p>Stage 1</p> <ul style="list-style-type: none"> • This stage is used to formally address a student’s academic performance which is giving Cause for Concern and which has not been resolved through the informal Pre-Stage 1 (Cause for Concern). • This stage will be dealt with by the student’s Personal Tutor. • The Personal Tutor, having liaised with all the student’s tutors, will formally meet with the student (who may be accompanied by parent(s)/carer(s), College friend, sponsoring employer or Student Union representative) to: <ol style="list-style-type: none"> 1. Discuss the issue(s) referring, where appropriate, to other internal or external services including the Welfare and Retention team. 2. Agree a Learner Contract (Appendix A), timescale for improvement and how they will monitor it. This contact could include being placed on report. 3. A copy of the Stage 1 tutor records and learner contract should be passed to the Welfare and Retention Officer where the learner is “at risk” due to poor attendance. • Outcome is recorded on the eILP by the Personal Tutor
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Stage 2

- This stage is used to formally address a student's academic performance which has not improved or complied with the Stage 1 Learner Contract and for cases of Plagiarism/Cheating and other incidences of seeking to gain unfair academic advantage.
- This stage will be dealt with by the student's **Curriculum Manager**. The Welfare and Retention Officer should be involved where the Stage 2 has been caused by continued issues regarding attendance and/or punctuality.
- The **Curriculum Manager**, having liaised with the student's Personal Tutor and other tutors will formally meet with the student (who may be accompanied by Parent(s)/Carer(s), College friend, sponsoring employer or Student Union representative) to discuss the issues and reach one of three outcomes.
- Recommendation that the Learning Contract is extended for a fixed period of time (required improvement(s), timescales and monitoring activity will be discussed and then confirmed in writing to the student).
- Recommendation for re-submission of work or re-assessment under controlled conditions (the logistics will be discussed and then confirmed in writing to the student).
- Recommendation that the student does not continue with the course (the **Curriculum Manager** shall move the matter on to Stage 3).
- Outcome is recorded on the eILP by the **Curriculum Manager**

Stage 3 – Formal Disciplinary Hearing

- This stage is used when, within Stage 2, the Curriculum Manager has recommended that a student does not continue on the course.
- This stage is dealt with by the student's **Head of Faculty**.
- The **Head of Faculty** will call the Formal Disciplinary Hearing, writing to the student (who may be accompanied by Parent(s)/Carer(s), College friend, sponsoring employer, Student Union representative or legal / professional advisor) and giving them a minimum of five working days' notice. If a student is to be accompanied by a legal / professional advisor they **MUST** give the College two working days' notice of this, the College retains the right to also have a legal/professional advisor in these circumstances.
- The student's Personal Tutor and Curriculum Manager will also be asked to attend the Hearing.

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| | | <ul style="list-style-type: none"> • The purpose of the Hearing is to review the student’s academic / vocational progress and to determine if the students would benefit from continuing on the course. • The hearing may take place in the student’s absence if they fail or decline to attend without good reason. • The Hearing will take place in accordance with Appendix B and can have one of four outcomes. • No case to answer and continue on the course with no conditions. • To continue on the course for a trial period (monitored and reviewed by the Head of Faculty). • To transfer to an alternative course with or without a trial period. • To be withdrawn from the course for the remainder of the academic year. • The outcome of the Hearing will be communicated in writing to the student, their Parent(s)/Carer(s) (if the student is under 18 or under 21 if they have learning difficulties or disabilities), their sponsoring employer and the Assistant Principal – Curriculum, Teaching and learning within two working days. • An Agent log will also be made for Outcome 4 through the College Registrar. The student will be advised of their right to appeal against any decision and be provided with a copy of the appeals procedure. • Outcome is recorded on the eILP by the HOF or designated representative |
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Section 2: Student Disciplinary Procedure (Misconduct)

No.	Item	Detail
1	Introduction	<p>Students are advised of what is expected of them through the Code of Conduct and should seek help from their Personal Tutor or Student Services if they are in any doubt about its application.</p> <p>This procedure is designed to ensure that all students receive every possible assistance and support in order to continue and achieve their course.</p> <p>Parent(s)/Carer(s) (if students are under 18 or under 21 if they have learning difficulties or disabilities) and sponsoring employers will be informed if this procedure reaches Stage 1 or beyond and will be invited to accompany the student to meetings/hearings.</p> <p>Students have the right to appeal against a decision at any stage of this Disciplinary Procedure in accordance with Appendix F.</p>
2	Definition of Terms	<p>Breaches of the Code of Conduct may be Minor, Serious or Gross. Examples of each type of breach are set out below. The list is not exhaustive and professional judgement will need to be made concerning the severity of the breach. Please refer to Appendix G for an easy read flow chart, and the appropriate person to refer to at each stage.</p> <p>Minor Breach</p> <ul style="list-style-type: none"> • Disruptive or unruly behaviour inside or outside of class • Unduly noisy outside of class • Failure to comply with a reasonable instruction from a member of staff • Refusal to produce College ID or identify oneself when asked to by a member of staff • Offensive language <p>Serious Breach</p> <ul style="list-style-type: none"> • Smoking on or within College premises/vehicles • Offensive behaviour • Acting in an unsafe manner • Failure to comply with the College's Health & Safety Policy • Disruption to the work or recreation of others within the Weston College community • Malicious activation of the fire alarm system • Misuse of College bus passes • Fraudulent claim for funding

No.	Item	Detail
		<ul style="list-style-type: none"> • Possession of alcohol (if under 18) • Re-occurrence of a minor breach previously dealt with by issuing Record of Verbal Warning <p>Gross Breach</p> <ul style="list-style-type: none"> • Theft of personal or College property • Arson • Violence or threat of violence • Incapability through alcohol, drugs (including Legal Highs) or other substances (or suspicion of) • Deliberate damage to College property • Accessing, downloading or sending pornographic/offensive materials via internet or mobile technology • Possession of a knife or weapon, which is not justified in its use as part of the students work • Possession of non-prescribed drugs (including Legal Highs), association with dealing or handling non-prescribed drugs in College or associated premises e.g. HE accommodation, Badgworth Centre, work placements, field trips, residential etc. • Harassment or bullying allegations substantiated under the College's Anti-bullying & Harassment Policy and Procedure for students (including cyber bullying) • Criminal activities affecting the College, it's students, staff or visitors • Interference with hardware, software or data belonging to or used by the College • Re-occurrence of a serious breach previously dealt with by issuing a Notice of a Formal Written Warning

3	The Procedure	<p>Stage 1 – Verbal Warning</p> <ul style="list-style-type: none"> • This stage is used to address Minor Breaches of conduct/discipline and may result in a verbal warning being issued and recorded on the student’s personal file following discussion with the student. • This stage shall be dealt with by the Personal Tutor. • On receiving a verbal or written report on a student’s alleged Minor Breach of the Code of Conduct the student’s Personal Tutor shall undertake enquiries/investigation, as they deem necessary, to establish the facts and will decide if a Minor Breach has been committed. • Having considered the facts the student’s Personal Tutor will meet with the student to discuss the Minor Breach, advise why the behaviour was inappropriate and issue the verbal warning. The reason for the verbal warning will be explained as well as the consequence of the student failing to improve their ‘behaviour’, or a recurrence of the behaviour within a stated period. • A Record of Verbal Warning (Appendix C), signed and dated by both student and personal tutor, shall be placed in the student’s personal file. • A copy of the “Record of Verbal Warning” should be sent to the Parent/Carer (if the student is aged under 18 or under 21 if they have learning difficulties/disabilities), the sponsoring employer if appropriate and to the Curriculum Manager. • Outcome is recorded on the eLP by the Personal Tutor <p>Stage 2 – Formal Written Warning</p> <ul style="list-style-type: none"> • This stage is used to address Serious Breaches of conduct/discipline and may result in a Formal Written Warning being issued and recorded in the student’s personal file, following discussion with the student. • This stage shall be dealt with by the student’s Curriculum Manager. • On receiving a verbal or written report on a student’s alleged serious breach of the Code of Conduct the student’s Curriculum Manager shall undertake enquiries/investigations, as they deem necessary, to establish the facts. • The only exception to this will be for alleged Bursary/DLSF Funding fraud, when the College Registrar will undertake the enquiries/investigation. • Having considered the facts the student’s Curriculum Manager or the College Registrar (in the case of alleged Bursary funding/DLSG) shall formally meet with the student to discuss the issue, advise why the behaviour was inappropriate and issue the Formal Written Warning. The reason for the Formal Written Warning will be explained as well as the
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consequence of the student failing to improve their 'behaviour' or a re-occurrence of the behaviour within a stated time period.

- A Notice of Formal Written Warning (Appendix D) signed and dated by both student and Curriculum Manager, shall be placed on the student(s) personal file.
- A copy of the Notice of Formal Written Warning shall be sent to the Parent(s)/Carer(s) (if the student is under 18 or under 21 if they have learning difficulties/disabilities), the sponsoring employer if appropriate and to the Head of Faculty.
- Outcome is recorded on the eLP by the **Curriculum Manager**

Stage 3 – Formal Disciplinary Hearing

- This stage is used to address Gross Breaches of conduct / discipline and may result in a Formal Disciplinary Hearing (the outcome of which could be Final Written Warning, suspension for a fixed term or permanent exclusion)
- This stage shall be dealt with by the student's **Head of Faculty**.
- On receiving a verbal or written report on a student's alleged Gross Breach of the Code of Conduct the student's **Head of Faculty** will decide if the student and other person(s) involved should be suspended, with immediate effect, whilst they, or a nominated investigating officer, undertake enquiries/investigation as they deem necessary to establish the facts.
- Having considered the facts, if the student's Head of Faculty believes a Gross breach has been committed they will convene a Disciplinary Panel. The Disciplinary Panel comprises of three people:
 - A Head of Faculty (who will act as Panel Chair) from a faculty other than the student's
 - LDD Innovation and Strategic Lead (or nominated representative)
 - The student's Curriculum Manager
- The Panel Chair will call the Formal Disciplinary Hearing, writing to the student (who may be accompanied by Parent(s)/Carer(s), College friend, sponsoring employer, Student Union representative or legal professional advisor) and giving them a minimum of five working days' notice. If a student is to be accompanied by a legal professional advisor they **MUST** give the College two working days' notice of this, the College retains the right to also have a legal professional advisor in these circumstances.
- The student's Head of Faculty and/or nominated investigating officer will also be asked to attend the Hearing.
- The Hearing may take place in the student's absence if they fail or decline to attend without good reason.

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| | | <ul style="list-style-type: none">• The Formal Disciplinary Hearing will be conducted in accordance with Appendix B and can have one of five outcomes.• No case to answer• Final written warning• Suspension for a fixed term (to be determined by the Disciplinary Panel)• Exclusion for the remainder of the academic year• Exclusion for the remainder of the academic year and a further period of time (to be determined by the Disciplinary Panel)• For outcome 2-5 a Record of Formal Disciplinary Hearing (Appendix E), signed and dated by the Panel Chair, shall be placed on the student's personal file.• A copy of the Record of Formal Disciplinary Hearing form should be sent to the Parent / Carer (if the student is under 18 or under 21 if they have learning difficulties / disabilities), the sponsoring employer is appropriate and the Assistant Principal – Curriculum, Teaching and learning.• An Agent log will also be made for outcomes 3-5 through the College Registrar. The students ID badge will also be confiscated and returned to the LDD Innovation and Strategic Lead.• Outcome is recorded on the eLP by the HOF or Designated Representative. |
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Appendix A

Student Code of Conduct & Disciplinary Procedure

Learner Contract:

A contract between **(insert student name)** and Weston College for the period **(insert date)** to **(insert date)**

I agree to:-

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This will be monitored by your Personal Tutor on a **(insert timescale)** basis. A report card will be issued to help monitor progress during the agreed timescale of the Learner Contract. This must be returned to the faculty office at the end of each week until the Learner contract has expired.

Student:

Date:

Personal Tutor:

Date:

cc. Student, Parent(s) / Carer(s), Sponsoring Employer
Student File
Curriculum Manager

Appendix B

Disciplinary Procedure (Academic Matters): Formal Disciplinary Hearing Process

Order of the Hearing

- i. Head of Faculty will introduce all present including the non-panel note taker and explain the purpose of the Hearing
- ii. Curriculum Manager will present the findings of their enquiry/investigation
- iii. Student may question the Curriculum Manager
- iv. Head of Faculty may question the Curriculum Manager
- v. Head of Faculty may question the Personal Tutor
- vi. Student may question the Personal Tutor
- vii. Student or their representative will present their case against the allegation
- viii. Curriculum Manager may question student
- ix. Head of Faculty may question student
- x. Student may call witness(es) and ask them questions
- xi. Curriculum Manager may question witness(es)
- xii. Head of Faculty may question witness(es)
- xiii. Curriculum Manager summarises case against student
- xiv. Student will summarise their case against the allegation
- xv. The outcome of the Formal Disciplinary Hearing to be communicated to all parties at the conclusion of the Hearing or within two working days and to be confirmed in writing
- xvi. The student will be advised of their right to appeal against the decision and given a copy of the Appeals Procedure (Appendix F)

Disciplinary Procedure (Misconduct): Formal Disciplinary Hearing Process

Order of the Hearing

- i. Panel Chair will introduce all present including the non-panel note taker and explain the purpose of the Hearing
- ii. Presenting Officer will present the findings of their enquiry/investigation
- iii. Student may question the Presenting Officer
- iv. Panel Chair may question the Presenting Officer
- v. Presenting Officer may call witness(s) and ask them questions
- vi. Student may question witness(es)
- vii. Panel Chair may question witness(es)
- viii. Student will present their case against the allegation
- ix. Presenting Officer may question student
- x. Panel Chair may question student
- xi. Student may call witness(es) and ask them questions
- xii. Presenting Officer may question witness(es)
- xiii. Members of the panel may question witness(es) under the direction of the Chair
- xiv. Presenting Officer summarises case against student

- xv. Student will summarise their case against the allegation
- xvi. All parties will withdraw whilst the Disciplinary Panel conclude if there has been a Gross Breach
- xvii. Once a majority decision is reached the student and the Presenting Officer will be recalled and advised of the decision
- xviii. The student will be advised of their right to appeal against the decision and given a copy of the Appeals Procedure (Appendix F)
- xix. Written confirmation using the “Record of Formal Disciplinary Hearing Form” will be sent to both parties within five working days of the Formal Disciplinary Hearing

Appendix C

Student Code of Conduct and Student Disciplinary Procedure (Misconduct)

Record of Verbal Warning

Student Name:

Course Title:

Personal Tutor:

(insert student name) has been issued a verbal warning due to:-

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The requested improved behaviour (with immediate effect) is:-

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This will be monitored by your Personal Tutor on a **(insert timescale)** basis.

A recurrence of the above behaviour within **(insert number)** weeks will result in Stage 2 being implemented.

Student:

Date:

Personal Tutor:

Date:

cc. Student, Parent(s) / Carer(s), Sponsoring Employer
Student File
Curriculum Manager
LDD Innovation and Strategic Lead

Appendix D

Student Code of Conduct and Disciplinary Procedure (Misconduct)

Notice of Formal Written Warning

Student Name:

Course Title:

Personal Tutor:

This statement is a follow up to the Record of Verbal Warning issued on **(insert date)**.

(insert name) has been issued this Formal Written Warning due to:-

The requested improved behaviour (with immediate effect) is:-

This will be monitored by your Curriculum Manager and LDD Innovation and Strategic Lead on a **(insert timescale)** basis.

A recurrence of the above behaviour within **(insert number)** weeks will result in Stage 3 being implemented.

Student:

Date:

Curriculum Manager:

Date:

cc. Student, Parent(s) / Carer(s), Sponsoring Employer
Student File
Head of Faculty

Appendix E

Student code of Conduct and Student Disciplinary Procedure (Academic Matters and Misconduct)

Record of Formal Disciplinary Hearing

Student Name:

Course Title:

Personal Tutor:

Date of hearing:

Summary of reason for Formal Disciplinary hearing:-

Outcome of the Formal Disciplinary hearing:

Academic matters

- No case to answer.
- Continue on course for trial period of **(insert number)** weeks.
- Transfer to an alternative course.
- Withdrawn from course for remainder of academic year.

Misconduct

- No case to answer.
- Final written warning
- Suspension for a fixed term of **(insert number)** weeks.
- Exclusion for remainder of academic year.
- Exclusion remainder of academic year and a further **(insert number)** years.

Head of Faculty / Panel Chair:

Date:

cc Student, Parent(s) / Carer(s), Sponsoring Employer

Curriculum Manager, Personal Tutor, Assistant Principal – Curriculum, Teaching and learning, LDD Innovation and Strategic Lead

Appendix F

Appeal against a decision made under the Student Disciplinary Procedure (Academic Matters and Misconduct)

- 1.1 A student has the right of appeal against any decision made under the Student Disciplinary Procedure (Academic Matters and Misconduct) Stages 1-3.
- 1.2 An appeal against a Stage 1 decision should be made in writing to the student's Curriculum Manager within five working days of the formal meeting with their Personal Tutor. The Curriculum Manager will meet separately with both student and Personal Tutor, their decision will be final.
- 1.3 An appeal against a Stage 2 decision should be made in writing to the student's Head of Faculty within five working days of the date of the written notification of the decision. The Head of Faculty will meet separately with both student and Curriculum Manager/College Registrar (in case of Bursary Funding/DLSF fraud), their decision will be final.
- 1.4 An appeal against a Stage 3 decision should be made in writing to the Assistant Principal – Curriculum, Teaching and Learning within five working days of the date of the written notification of the decision.
- 1.5 Appeals against Stage 3 decisions will be heard by the Assistant Principal – Curriculum, Teaching and Learning or another member of the Corporate Management Team. Their decision shall be final.

The Assistant Principal – Curriculum, Teaching and Learning or their nominated deputy will, as soon as is practicable, write to the student and their Head of Faculty (if an Academic Matters disciplinary) or Panel Chair (if a Misconduct disciplinary) informing them of the requirement to attend an Appeal Hearing giving them a minimum of 5 working days' notice. The student (who may be accompanied by either a Parent(s)/Carer(s), a College friend, sponsoring employer or Student Union representative) will also be sent copies of any supporting documentation to be used at the Appeal Hearing.

- 1.6 The Appeal Hearing may take place in the student's absence if they fail or decline to attend without good reason.
- 1.7 The order of the Appeal Hearing is as follows:
 - i. Assistant Principal – Curriculum, Teaching and Learning or a member of the College's Corporate Team will chair the hearing. They will introduce those in attendance and explain the purpose of the Appeal Hearing
 - ii. Student or their representative will present their case against the Stage 3 decision
 - iii. The Chair may question student
 - iv. Head of Faculty or original Disciplinary Panel Chair will present the case supporting the Stage 3 decision

- v. The Chair may question the Head of Faculty/Panel Chair
- vi. Student or their representative will summarise their case against the Stage 3 decision (no new facts)
- vii. Head of Faculty/original Disciplinary Panel Chair will summarise case supporting Stage 3 decision (no new facts)
- viii. The decision of the Appeal Hearing to be communicated to all parties in writing within five working days.

Appendix G

Student Disciplinary Procedure (Misconduct)

