



# Student Disciplinary Policy

# Student Disciplinary Policy

## Student Version

|                           |   |
|---------------------------|---|
| Version                   | V1.3  |
| Policy Originator:        | Director of Personal Development, Behaviour & Welfare |
| Equality Impact Assessed: |   |
| Approved by:              | SMT   |
| Date Approved:            | September 2020  |
| Review Interval:          | 2 years   |
| Last Review Date:         | July 2021   |
| Next Review Date:         | July 2022   |
| Audience:                 | Staff and Students                                    |
| Entered on SP             | 29/09/21  |
| Entered on website        | 29/09/21  |

**Nescot is a learning community. The disciplinary policy is to keep all members of the college community safe and to make sure it is a place where all students can learn and staff can work without disruption caused by poor behaviour. The policy is also to make sure that the College's reputation is not brought into disrepute by poor behaviour of any of our students. The policy is designed so that in the vast majority of cases students are allowed to take steps to improve.**

## Student Code of Conduct

**These make clear what our expectations are of you as Nescot students**

### You will

1. Strictly comply with the Government's current guidelines about keeping safe from **COVID-19 Coronavirus** and how these are implemented across all of the college site and in all areas including classrooms, workshops, learning resources centre, realistic working environments, toilets and all of the public and social areas including the car park, corridors, lifts and stairwells. If necessary to reinstate some or all of the previous requirements then strict compliance means that you will:
  - a. Ensure that you stay inside your **faculty / zone bubbles** and under no circumstances break this by going into other zones / bubbles;
  - b. Ensure that you wear **face coverings (unless there is a valid exemption) in all indoor communal and public areas** around the college, for example, corridors, stairwells, lifts, the refectory, toilets, reception areas;
  - c. Ensure that you **do not mix with students from other faculty zones / bubbles** on the campus either indoors or outdoors;
  - d. Ensure that, as a representatives of the College, you wear **face coverings in compliance with government guidance and law in local shops and on public transport**;
  - e. Ensure that you **do not use COVID-19 as a means of intimidating, unnerving or upsetting other students, staff or visitors** through threats or in jest;
  - f. Ensure that you **maintain current social distancing regulations** and comply with notices and floor markings around the College which are designed to help you comply with this;
  - g. Ensure that you comply with the guidance and instructions as set out in your College induction sessions and in tutorials.
  - h. The above requirements are liable to change and they might be relaxed / reinstated at short notice. You must adhere to the current guidance as requested.
2. Obey the law including laws on theft, fraud, graffiti, damage to property, violence, substance abuse, carrying offensive or dangerous weapons, possession of drugs and alcohol as well as intent to supply drugs.
2. Wear the college ID card and lanyard at all times when on college property and always disclose identity when requested to do so by Security or other staff
3. Treat fellow students and staff with courtesy and respect, regardless of their disability, gender, sex, age or ethnicity

4. Fully support the College in promotion of equality and diversity practices
5. Follow all College health and safety guidelines at all times, including the evacuation procedures
6. Attend all classes, be punctual and hand work in on time
7. Follow reasonable instructions from staff
8. Obey College computer network regulations
9. Use technology and devices appropriately and in a way that supports learning
10. Drive with due care in and around College premises
11. Respect the College environment
12. Only smoke (including vaping) in designated smoking areas.
13. Respect the community and act responsibly whilst using surrounding areas of the college grounds

**You will not**

1. Take any deliberate or wilful acts that breach Government and college guidelines and rules about keeping safe from the risks of COVID-19 Coronavirus.
2. Endanger yourself or others, through deliberate or wilful actions that breach Government and college guidelines and rules about keeping safe from the risks of COVID-19 Coronavirus. This might include (not exhaustive): spitting; failure to comply with social distancing; failure to comply with identified and required safe entry and exits; failure to comply with basic hygiene requests; persistent lateness / poor time-keeping which disrupts measures to keep staff, students and visitors safe.
3. Distract others or be disruptive in and out of class
4. Bully or harass others including through social media or other online means, or encourage and join in with such behaviour
5. Use inappropriate or offensive language or behaviour
6. Plagiarise (see Plagiarism Policy), cheat or copy work from other students
7. Fight or use threat of violence, or encourage and join in with such behaviour
8. Give your own Learner ID to others for use

9. Make fraudulent claims/alter Learner ID cards, College records, signatures etc.
10. Bring animals onto campus without permission
11. Bring friends or family onto College premises without permission from the Principal or her representatives
12. Organise private functions on College premises or in the College's name without permission from the Principal or her representatives
13. Take part in any gambling activities
14. Bring the college into disrepute through any of your actions.

*This list is not exhaustive or exclusive and situations of a similar nature will be dealt with in accordance with these guidelines. Please note that all incidents which involve breaking the law, including all drug related incidents will be passed to the Police immediately*

## **1 The purpose of the policy and how it works**

1.1 The purpose of this policy is to help you, as a student, to keep safe and to do well at college. It sets out what will happen if your behaviour, attitude and / or attendance falls below expected standards.

There are 5 really important things you need to do at all times, these are to:

- display my ID Badge;
- respect myself and others;
- respect the environment;
- behave responsibly;
- strive for success.

1.2 The policy ensures that all students are treated the same.

1.3 The policy ensures that things are done on time.

1.4 The policy ensures that rules about attendance and behaviour apply to all students, including full time, part-time, young people, adults, apprentices and so on.

1.5 The policy ensures that everyone knows what they need to do and what happens when the Code of Conduct is broken, and/or when major or gross misconduct occurs by a student.

1.6 Although this Policy applies to students enrolled on Higher Education (HE) it is applied in agreement with our validating HE Institution partners should this be relevant (excepting Open University programmes where the College policy and process applies.)

## **2 Scope (what's in the policy)**

2.1 The Disciplinary Policy reflects and supports the:

- the Student Code of Conduct;
- the Mission of the College;
- the College policy on progression (to your next course or next year of your course) and performance where there are concerns about student performance in the classroom;
- Policies and procedures on student welfare, including safeguarding, disability and mental health, and substance misuse;

- The rules of natural justice (the rule against bias and the right to a fair hearing);
- The principles of restorative practice, which seeks to repair and improve relations between involved parties, for example, where two or more students have disagreements with each other;
- Academic misconduct procedures

### **3 How the policy works**

3.1 The policy takes into account:

- current legislation;
- the role of your parents / carers and if you are an apprentice (if you are a young person or a high needs student), your employer if you are an apprentice;

3.2 The College has an obligation to ensure that if the disciplinary policy is applied to you get a fair hearing. You will be given a copy of the Code of Conduct on joining the College and will be told about it as part of your induction.

3.3 The College will decide if a matter is referred to the Police, unless we are required to do this automatically by law.

### **4 Who is responsible for student discipline at Nescot**

4.1 All staff in the College have a responsibility to maintain discipline in all areas of the College. If you behave in a manner that could lead to a breach of the Code of Conduct you will be warned and that disciplinary action could follow. If, however, you behave poorly in a way that is very serious i.e. gross misconduct you will be suspended immediately whilst the matter is investigated ahead of a panel hearing to see if you are allowed to stay at college.

4.3 You are required to confirm you have read and understood the Code of Conduct during induction.

A copy is available on Google Classroom

### **5 Breaches of Discipline**

5.1 There are two elements to the disciplinary process, these are:

- low level disruption;
- formal performance and behaviour management.



## 6 There are 3 main stages

6.1 However, be aware that in the event of an act of gross misconduct being alleged the College can suspend you immediately and go straight to stage 3 gross misconduct panel hearing.

### 6.1.1 Stage 1

Your Personal Development Coach / Tutor will monitor low level disruption. Following 3 low disruption notifications a stage one supportive tutorial meeting will take place with actions set for improvement.

### 6.1.2 Stage 2

Following a further breach or if there is a serious behaviour or performance issue a stage 2 formal meeting will take place with the Head of Department or Director of Faculty, this will also include parents / carers.

### 6.1.3 Stage 3

Following a further breach **or if a student commits gross misconduct a stage 3 gross misconduct panel hearing will be convened.** There are 3 outcomes from this panel:

- case not proven;  
or
- exclusion from the College;  
or
- return to College with Final Written Warning and action plan to improve of up to one month, if the student breaks this then he / she will be permanently excluded from the College.

6.1.4 If you are excluded from the College you will not be permitted to return for a minimum of 12 months.

## Some examples of breaches of behaviour

### Minor Breach – Low Disruption

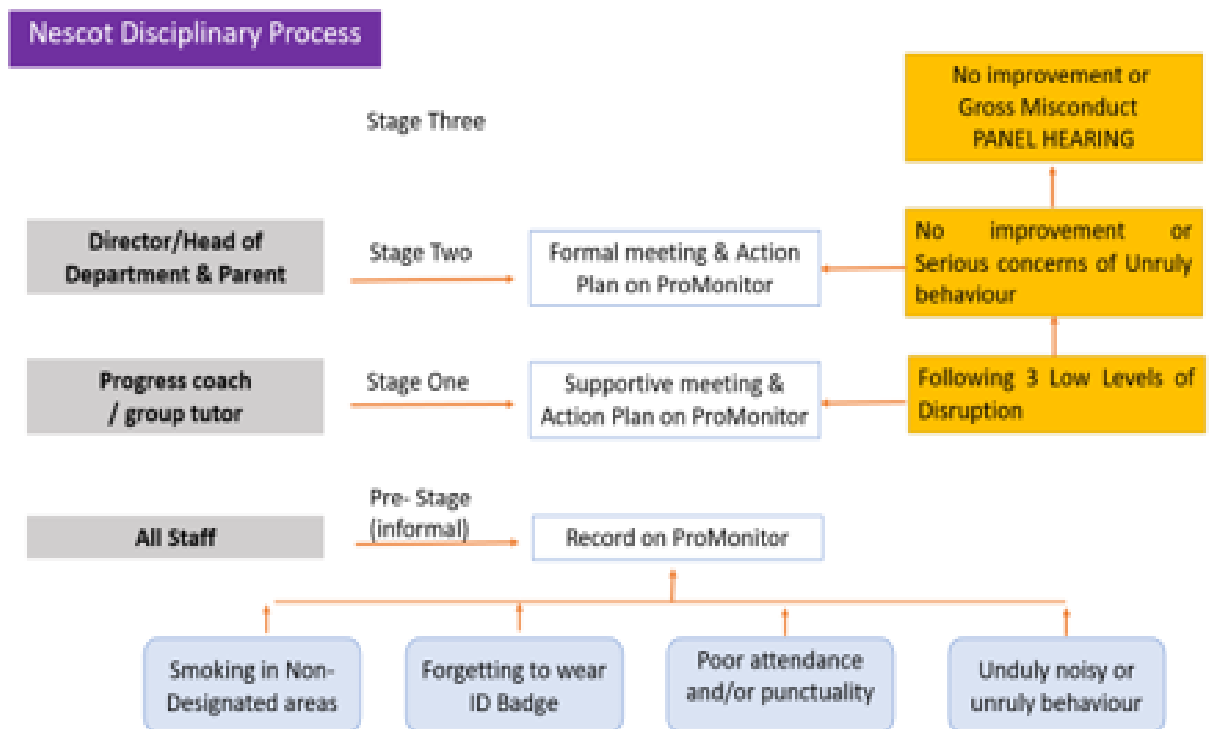
Minor breaches of the Student Code of Conduct include attendance and punctuality, unauthorized absences, non-submission of coursework, disruptive behaviour, failure to wear ID badge or continually forgetting it, smoking in non-designated areas, noisy and disruptive in class.

### Major Breach - Serious behaviour or performance management issues

Major breaches of the Student Code of Conduct include failure to improve against the action plan target(s) set, deliberate or wilful actions which breach the Government's and the College's guidelines about keeping safe from COVID-19 Coronavirus, offensive language, persistent non-attendance or failure to wear ID badge, refusal to identify themselves, incapability through drugs or alcohol, acting in an unsafe manner including failure to comply with health and safety policy, harassment, disruption to the work of others.

## Gross Misconduct Breach

Gross breach of the Student Code of Conduct includes failure to improve against the action plan, breaching the terms of the RED attendance card, deliberate or wilful actions which breach the Government's and the College's guidelines about keeping safe from COVID-19 Coronavirus malpractice, theft, forgery, violence, serious threat of violence, dealing in illegal substances, deliberate damage to property (to which damages will be sought), sending or accessing and/or downloading of pornographic/offensive/terrorist material via the internet, any unauthorized interference with software or data belonging to or used by the College, serious bullying, and any criminal activities affecting the College or other students.



## **7 Suspension**

- 7.1 Where there is reason to believe that you have committed an act of gross misconduct you will be suspended from the College by either a Director of Faculty or SMT member.
- 7.2 During a suspension an investigation will take place in preparation for a Disciplinary Hearing.
- 7.3 During a suspension you will be set coursework to do. You will only be allowed on to the College site with written permission for the following reasons:
- for meetings/interviews;
  - to submit coursework to meet deadlines;
  - to take examinations;
  - to use the learning resource centre (LRC).

## **8 Cooling Off**

- 8.1 Where an incident requires a “cooling off” you may be asked to leave the College premises or to move to a specific place within the College up to a maximum of a day.
- 8.2 “Cooling off” can be used as a sanction for up to a maximum of 4 weeks and will always be followed by a formal action plan and contract.

## **9 Support for you**

- 9.1 You are entitled to be accompanied to a Disciplinary Hearing by a parent / guardian, a relative or social worker but not by a person active in legal or other professional work, unless the College otherwise agrees.
- 9.2 You may discuss disciplinary charges brought against them with the Student Services Welfare team who will provide support as requested.

## **10 Appeals**

- 10.1 You have a right of appeal against suspension and the outcome of Stage 2 and Stage 3 Disciplinary Hearings. These can be made to the Deputy Principal within 2 weeks of the notification of outcome. There is no right of appeal if there is a significant breach in behaviour during the first 6 weeks at College

