

POLICIES & PROCEDURES

TITLE	DISCIPLINARY PROCEDURE – LEARNERS
AUTHOR	REDBRIDGE INSTITUTE
RESPONSIBLE OFFICER	PRINCIPAL
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STUDENT DISCIPLINARY PROCEDURE

1. Scope and Purpose

The procedure sets out the code of conduct expected of all learners and clients who wish to access our facilities and services and sets out the action which will be taken if the code of conduct is not followed.

Breach of the code of conduct may lead to disciplinary action being taken against learner or client and repeated breaches or a very serious breach may lead to the suspension or exclusion from Redbridge Institute.

2. Redbridge Institute Student Code of Conduct

Students must observe the Institute's rules which are set out below.

2.1. We expect all learners to:

- Participate in an inclusive learning environment in which staff and learners are treated fairly, with respect and feel safe
- Report any concerns about your personal safety to your tutor, another member of staff or the **Principal**
- Tell us if you have a disability that might affect your learning;
- Come prepared for every class;
- Attend regularly and be on time;
- Let your tutor know if you will be absent for any reason or if you are thinking of leaving the course;
- Follow the Institute's Health & Safety procedures;
- Protect yourself and others from virus infections by following the rules of good hygiene
- Tell your tutor how you feel your learning is progressing. Ask questions when you are uncertain. Give in course work on time and keep all your work in good condition ready for any exhibitions or assessments;
- Complete your portfolio of work and take any examinations for which you have been entered;
- Get involved in reviewing and improving the service;
- Discuss your next step with your tutor before you finish your course;
- As a courtesy turn your mobile to silent
- Produce original coursework; taking someone else's work or ideas and passing them off as your own is called plagiarism and could lead to you failing your course.

2.3 Misconduct

Disciplinary action may be taken against students whose behaviour the Institute considers to be misconduct. If this happens repeatedly or if there is a single very serious violation the student may be suspended or permanently excluded.

2.4 Serious Misconduct

The Institute operates a zero tolerance policy on violence, alcohol, drugs, weapons and intoxication and infringements will be dealt with under Stage 3 of the procedure. Serious misconduct includes threat of violence or actual violence, deliberate damage to property, putting other people at risk, bullying or harassment,

assessment malpractice (including plagiarism) and improper use of the Institute's computing systems. Serious misconduct will be dealt with under stage 3 of the procedure and stage 1 or even Stage 2 may be bypassed.

3. Powers of the Governing Body

- 3.1 The **Principal** has the power to suspend or exclude a student. This power may be delegated to a senior member of staff
- 3.2. The Learner Disciplinary Committee has the power to suspend or expel a student or to take any other action considered appropriate.
- 3.3. The Learner Disciplinary Appeals Committee may modify or confirm the decision of the Learner Disciplinary Committee.

4. Stages of the student disciplinary procedure

4.1 Initial Stage: Informal

The tutor may counsel a student who is not meeting the conduct code and may set requirements or targets. This should be recorded and a copy provided for the student. The tutor will advise the Curriculum Co-ordinator of the situation and the Curriculum Co-ordinator will monitor the situation and progress towards resolution.

The Learning Support co-ordinator is available to assist students. If staff are aware that students have problems which may have affected their behaviour they will be able to offer support.

4.2 Second Stage: Formal Written warning

If the initial stage fails, or the case is initially considered serious enough, the case will be referred by the Curriculum Co-ordinator to the Head of Curriculum who will investigate the case. The student shall be counselled by the HoC and warned of the potential consequences of the behaviour. The HoC may set requirements or targets for rectification, propose alternative courses of study, or propose withdrawal from the course, with an appropriate refund of fee, if the enrolment is considered inappropriate.

The outcome shall be recorded, with copies provided to the student, tutor, Curriculum Co-ordinator and the Principal. If the student is under 18 the parent or guardian will be sent copies of written warnings.

4.3 Third Stage: recommendation for suspension or exclusion

If the student fails to respond to requirements, or the matter is of a serious or criminal nature, the HoC may, after investigating the matter, recommend to the Principal that the student be suspended. The Principal will review the case and decide to confirm or refuse the recommendation

In cases of serious misconduct Stage 1 and Stage 2 may be bypassed and the student suspended pending a disciplinary interview with the Learner Disciplinary Committee.

In the case of suspension, the Principal shall report to the Chair of the Governing Body. The learner shall be advised in writing of the decision and the period of suspension pending consideration of the case by the Learner Disciplinary

Committee. The student shall be advised of his/her right to present a case to the Committee and to be accompanied by a relative or a learner from the same or other course at the Institute.

5. Procedures

- 5.1 The Principal's decision shall be notified in writing to the student, Chair of Governors and Clerk to the Governors within two working days.
- 5.2. The Clerk to the Governors shall convene a meeting of the Learner Disciplinary Committee within 12 working days of the receipt of the Principal's report (excluding weekends and statutory holidays). The student may agree to waive the time limit.
- 5.3. The Learner Disciplinary Committee will consist of two representatives of the Governing Body including one Student Governor, and one representative of the teaching staff.
- 5.4. In the event of a decision to prosecute the student, legal advice will be sought on the advisability of conducting disciplinary action while criminal proceedings are outstanding. The suspension of a student may be continued/varied during this period.
- 5.5. In the event of the case being the subject of Police investigation, the report will be circulated to members of the Committee who will meet to consider it. With the notice of the meeting, the Clerk shall circulate copies of the reports received (including any written representations made by the student).
- 5.6. Should the case cease to be the subject of police investigation without criminal proceedings being brought, or if brought being either abandoned or disposed of by a Court, or legal advice being tendered that the pursuance of the disciplinary proceedings would not interfere with or prejudice the student's position in the criminal proceedings, and the Principal wishes to continue a suspension, a meeting of the Disciplinary Committee shall be convened by the Clerk to the Governors within 12 days (excluding weekends and statutory holidays) of the receipt from the Principal of a notice requesting such a meeting.
- 5.7. The student (and, if under the age of 18, his/her parents) shall be furnished with copies of all reports received by the Clerk. The student shall be invited to attend the meeting of the Disciplinary Committee at which his/her case will be heard (accompanied if he/she wishes by a person nominated by the student to support them – normally a relative, advocate or other student from their course). The Clerk will send the invitation and copies of all reports at least seven working days before the meeting. Late papers containing information not known at the time of despatch must be provided to the student at the same time as they are circulated to members of the Disciplinary Committee. Papers submitted by the student must be received within three working days of the date of the appeal.

The Head of Quality will explain the procedure to the student and assist them obtaining Institute-held information relevant to their case.

- 5.8. The Disciplinary Committee shall meet, even though the learner or his/her supporter does not attend, for the purposes of:-
- (a) receiving the report(s) relating to the suspension
 - (b) hearing the Principal's case against the student and considering any representation made by the student, and
 - (c) deciding what action to take in the matter.
- 5.9. The Disciplinary Committee has the following powers:-
- (a) to reinstate the student forthwith or after a set period of time (with or without conditions), or
 - (b) exclude the student.
- 5.10. The order of procedure shall be as provided for in section 7.
- 5.11 The Committee may decide either to give its decision and the reason(s) for it immediately in the presence of the parties or reserve it. The Clerk shall formally record the decision of the Committee and communicate it in writing to the parties.
Additionally, the clerk shall advise the student of the right to appeal to the Disciplinary Appeals Committee.

6 Learner Disciplinary Appeals Committee

- 6.1. The learner (or, if under the age of 18, his/her parents) may appeal against a decision of the Disciplinary Committee by notifying the Clerk to the Governors in writing within 14 days of the date of the letter communicating the decision of the Disciplinary Committee
- 6.1. The letter of notification must state the grounds of the appeal. The Disciplinary Appeals Committee shall hear a summary of the case based on the grounds of appeal only.
- 6.2. The membership of the Disciplinary Appeals Committee will include 3 Governors including either the Chair or Vice Chair of Governors. The membership of the appeals committee will exclude any governors previously serving on the Disciplinary Committee.
- 6.3. The Clerk to the Governors shall convene a meeting of the Disciplinary Appeals Committee within twelve days of receiving the notification of appeal (excluding weekends and statutory holidays). At least five clear days before the meeting the Clerk shall send to the members of the Appeals Committee notice of the meeting and circulate therewith those papers made available to members of the Disciplinary Committee, together with a copy of the student's grounds of appeal and any documentation provided by the student and Principal.
- 6.4. The student (and his/her supporter) and Principal shall be invited to attend the meeting and furnished with all those papers circulated to members of the

Disciplinary Appeals Committee. He/she shall be given the same notice of the meeting as provided for under 4.6 above.

- 6.5. The Disciplinary Appeals Committee has the power to uphold, amend or revoke the decision of the Disciplinary Committee.
- 6.6. The order of procedure shall be as provided for in section 8.
- 6.7. The Committee may decide either to give its decision and the reason(s) for it immediately in the presence of the parties or reserve it. The Clerk shall formally record the decision of the Committee and communicate it in writing to the parties.
- 6.8. The decision of the Appeals Committee is final.

7. COPIES OF PROCEDURES

- 7.1. A copy of the Learner Disciplinary Procedure shall be available from the Gearies Centre Reception and on the website
- 7.2. A copy of this procedure will be supplied by the Clerk to the learner who is the subject of the disciplinary action and to his/her nominated supporter.

8. PROCEDURES FOR CONDUCT OF THE LEARNER DISCIPLINARY COMMITTEE

- The Principal shall present the case against the learner, and may call witnesses.
- The learner will have the opportunity to question the Principal on the reports presented to the Committee and on the case given, and question any witnesses called.
- Members of the Committee may ask questions of the Principal and his/her witnesses.
- The learner shall present his/her case and call witnesses if he/she wishes.
- The Principal may ask questions of the learner and his/her witnesses.
- Members of the Committee may ask questions of the learner and his/her witnesses.
- The Principal and the learner shall sum up their case if they so wish.
- The parties, their representatives and witnesses shall withdraw from the Committee.
- The Committee, with the Clerk to the Governors acting as their Secretary and Adviser, shall deliberate in private, only recalling the Principal and the learner to clarify points of uncertainty on evidence already given. If recall is

necessary, both parties are to return notwithstanding that only one is concerned with the point giving rise to doubt.

- The Committee shall announce its decision to the parties in person or in writing as it may determine.
- The decision shall be confirmed to the learner in writing by the Clerk to the Governors within 5 working days and to the Governing Body at its next meeting.

9. Procedure for Conduct of the Student Disciplinary Appeals Committee

- The learner shall present his/her case based on the grounds of appeal only and only call witnesses relevant to the grounds of appeal if he/she wishes.
- The Principal may ask questions of the learner and his/her witnesses.
- Members of the Committee may ask questions of the learner and his/her witnesses.
- The Principal shall present his/her case and may call witnesses.
- The learner will have the opportunity to question the Principal on the reports presented to the Committee and on the evidence given by him/her and any witnesses he/she may call.
- Members of the Committee may ask questions of the Principal and his/her witnesses.
- The Principal and the learner shall sum up their case if they wish.
- The parties, their representatives and witnesses shall withdraw from the Committee.
- The Committee, with the Clerk to the Governors acting as their Secretary and Adviser, shall deliberate in private, only recalling the Principal and the learner to clarify points of uncertainty on evidence already given. If recall is necessary, both parties are to return notwithstanding that only one is concerned with the point giving rise to doubt.
- The Committee shall announce its decision to the parties in person or in writing as it may determine.
- The decision shall be confirmed to the learner in writing by the Clerk to the Governors within 5 working days and to the Governing Body at its next meeting.
- The decision of the Appeals Committee is final.