

Name of Policy	Student Disciplinary Policy
Policy objectives	Ensure the provision of an environment to support the learning process and to promote acceptable conduct at all times

Person Responsible for Policy	Deputy Principal	Dept	SMT
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Date Policy approved	September 2007	Date of next review (month & year)	9/11
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Approved by	
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Related policies or procedures or parent policy if applicable	
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Student Disciplinary Policy and Procedure

Rationale

All students have the right to learn and a responsibility to allow others to learn in a safe, secure and respectful environment.

Macclesfield College (MC) and the Learning Zone Sixth Form College (LZ6) also have a responsibility to provide staff with a safe, secure and respectful environment in which to work.

The aim of this policy/procedure is to ensure the provision of such an environment, to support the learning process and to promote acceptable conduct at all times.

Wherever possible, MC/LZ6 will strive to work constructively with students to resolve disciplinary issues but implicit in this policy is the recognition of the need to disapprove of, formally record and, in certain circumstances, punish unacceptable conduct which disrupts learning or shows disrespect.

The 'Rights and Responsibilities' of all members of the community are listed in the 'Our Expectations' document which has been agreed by all educational institutions in the Macclesfield and Bollington Education Improvement Partnership.

Should actions undertaken by students outside of the MC/LZ6 premises impact upon maintaining good order within the campus, then disciplinary action will be considered.

Purpose

The purpose of the policy is to:

1. Ensure an orderly environment and protect students and staff
2. Reassure students and staff and give confidence in MC/LZ6's firmness and fairness
3. Deter students from unacceptable behaviour
4. Protect MC/LZ6's reputation

Student Disciplinary Policy and Procedure

During induction the Student Disciplinary Policy and Procedure will be explained to all students.

The entire Student Disciplinary Policy and Procedure is posted on the Macclesfield College and LZ6 websites (www.macclesfield.ac.uk or www.learningzone.ac.uk/lz6). Parents/carers of students under 18 will be provided with details of how to access the policy and procedure in an introductory letter.

This policy and procedure will be explained to all new staff at induction and details of how to access it through the websites will also be explained.

Definition of Unacceptable Conduct

Any academic or non-academic conduct which adversely interferes with teaching and learning (including a breach of the Student Academic Misconduct Policy and Procedure), is disrespectful to other members of MC/LZ6's community or property or breaches the Code of Conduct.

Code of Conduct

The Code of Conduct applies to all MC/LZ6 related activities whether on MC/LZ6 premises or off site including work experience or enrichment activities.

- Students must behave in a reasonable manner at all times respecting other students, staff, visitors and property. Unacceptable behaviour will not be tolerated.
- Students are required to visibly wear their ID cards at all times. Failure to do so may result in you being refused entry or being asked to leave the MC/LZ6 premises.
- All health and safety regulations must be observed.
- All students are expected to attend and be on time for all timetabled sessions and appointments. If for any reason you cannot attend, you are required to inform your Personal Tutor beforehand.
- Students must ensure that the required equipment to undertake their course programme is brought with them e.g. pens, writing pads etc.
- Unauthorised use of personal music players or mobile phones is not allowed during class time.
- Students must have their mobile phones switched to 'off' mode when in class.
- Eating and drinking is only permitted in designated restaurant/canteen/café bar areas. Bottled water is permitted in classrooms with the exception of IT areas and Science laboratories.
- The internet is for educational use only. Students must not: download or install any executables (programs, screensavers etc); change any system settings; send or receive anything that may cause offence to others.
- Macclesfield Learning Zone (MLZ) campus is a designated no-smoking campus and smoking is strictly forbidden on any part of the campus.
- Possession of any offensive weapons will lead to disciplinary action and where necessary, there will be Police involvement.
- The use of alcohol is not permitted.
- The possession, misuse, sale, purchase or distribution of controlled drugs as classified in the Misuse of Drugs Act 1971 is strictly forbidden.
- Disciplinary action will be taken if students are knowingly under the influence of alcohol or controlled drugs and where necessary, there will be Police involvement.
- Students found accompanying non-invited individuals onto MC/LZ6 premises including known suspended or excluded students, will themselves be suspended.

Examples of Disciplinary Incidents

The examples below cover the main areas for concern which would lead to the Student Disciplinary Policy and Procedure being applied.

Depending on the nature of the incident, the early stages of the Student Disciplinary Policy and Procedure may be by-passed to allow an appropriate response to be made in each individual case.

EXAMPLES OF STAGE 1 DISCIPLINARY INCIDENTS

- Poor attendance or punctuality
- Late or non-submission of course related work/assignments
- Disrupting the learning of others
- Minor cases of academic misconduct (refer to Student Academic Misconduct Policy and Procedure)
- Disrespectful behaviour to other students, staff or visitors
- Breach of health and safety regulations
- Misuse of the internet/IT equipment
- Unauthorised use of personal music players mobile phones when in class
- Misuse of facilities which are solely for the use of disabled students
- Smoking on the campus

EXAMPLES OF STAGE 2 DISCIPLINARY INCIDENTS

- Failure to comply to a Stage 1 action plan
- Repeatedly committing a Stage 1 disciplinary incident
- Moderate cases of academic misconduct (refer to Student Academic Misconduct Policy and Procedure)
- Threats to health and safety such as the misuse of fire alarms and fire extinguishers
- Demonstration of aggressive behaviour/discrimination/ harassment/bullying
- Misuse of MC/LZ6 resources
- Interference with MC/LZ6 property

EXAMPLES OF STAGE 3 DISCIPLINARY INCIDENTS

- Failure to comply to a Stage 2 action plan
- Repeatedly committing a Stage 2 disciplinary incident
- Serious cases of academic misconduct (refer to Student Academic Misconduct Policy and Procedure)
- Any criminal offence including:
 - Being in possession of illegal substances or alcohol
 - Endangering or causing injury to others
 - Possession of an offensive weapon
 - Theft or fraud
 - Wilful damage to MC/LZ6 property
- Being under the influence of alcohol or controlled drugs on MC/LZ6 premises or whilst engaged in any MC/LZ6 related activities
- Bringing MC/LZ6 into disrepute

THIS LIST IS NEITHER EXCLUSIVE NOR EXHAUSTIVE

Where any member of staff has reason to believe that a student may have committed a criminal offence, MC/LZ6 may refer the matter to the Police. MC/LZ6 may recommend suspension of the student pending the outcome of any Police enquiry or if the student's continued attendance is considered prejudicial to the good order of the campus.

Student Disciplinary Procedure

Where breaches of discipline occur such as failure to comply with the Code of Conduct or any incident of academic misconduct, the following procedure will be used.

Every effort will be made to avoid the use of formal disciplinary action where problems can be remedied informally. All MC/LZ6 staff carry the responsibility for the informal disciplining of students and for ensuring that misconduct or poor academic performance on the part of students is consistently dealt with in accordance with the Student Disciplinary Policy and Procedure.

Where informal measures prove insufficient to establish a satisfactory standard of conduct, then three formal disciplinary stages may be invoked and may include the possibility of fixed period or permanent exclusion from MC/LZ6.

As a condition of entry onto a course programme, a student may be required to undergo a six week probationary period during which time, should it be considered that a student is not suitable to continue, a Stage 2 Hearing will be called. Where appropriate, the probationary period may be extended.

STAGE 1 OFFICIAL VERBAL WARNING

A formal interview will be arranged between the Personal Tutor and the student. The interview will be recorded on a Disciplinary Report Form (DRF) and kept on the student's file throughout the duration of his/her time at MC/LZ6. The interview may result in no further disciplinary action being taken or in an official verbal warning being given. If so, the DRF will contain a course of action for improvement within an agreed timescale and outline the consequences of further misconduct or poor academic performance. A meeting to review progress against the action plan will be arranged within 15 working days of the student receiving the official verbal warning.

STAGE 2 HEARING

A hearing will be undertaken and adjudicated by the College's Head of School or the Head/Deputy Head of LZ6. For Park Lane Special School funded students, the Headteacher or Deputy Headteacher of Park Lane Special School will also be involved at this stage. The hearing will be recorded on a Disciplinary Report Form (DRF) and kept on the student's file throughout the duration of his/her time at MC/LZ6. The adjudicator will determine the outcome on the evidence available. The hearing may result in no further disciplinary action being taken or in a formal written warning being issued. If so, the DRF will contain a course of action for improvement within an agreed timescale and outline the consequences of further misconduct or poor academic performance. A meeting to review progress against the action plan will be arranged within 15 working days of the student receiving the formal written warning.

STAGE 3 HEARING

Stage 3 Hearing procedures will differ for College/High School/Special School funded students.

A hearing will be undertaken and adjudicated by the College's Director of Learning and Quality or the High School/Special School's Deputy Headteacher. The hearing will be recorded on a DRF and kept on the student's file throughout the duration of his/her time at MC/LZ6. The adjudicator will determine the outcome on the evidence available. The hearing may result in no further disciplinary action being taken, a requirement for an appropriate course of action to be taken or a recommendation that the student be excluded for a fixed period or permanently.

Notice and Outcome of Stage 2 and Stage 3 Hearings

Students will be given at least 5 working days written notice to attend the hearing which will include the exact nature of the alleged misconduct, a summary of relevant evidence and an indication of how the alleged behaviour contravenes MC/LZ6's Student Disciplinary Policy and Procedure. Details on how the hearing will be conducted will also be included.

Parents/carers will be informed of Stage 2 and Stage 3 Hearings where students are under 18 years of age.

Employers will be notified of Stage 2 and Stage 3 Hearings if the student is on release from employment.

Students may be accompanied by a parent/carer/relative/employer/fellow student.

The student's Personal Tutor and/or Team Leader/Head of Faculty will also normally be present.

Prior to a hearing, the student will be asked if they wish to make a written statement of their version of events which may be subsequently used as evidence in a future hearing.

A letter of the outcome of Stage 2 and Stage 3 Hearings will be issued to the student within 5 working days.

A copy of the letter will be forwarded separately to the parents/carers of students who are under the age of 18.

A copy of the letter will be forwarded separately to the employer of students who are on release from employment.

Suspension

Suspension may occur for a single incident without recourse to the early stages of the student disciplinary procedure. MC/LZ6 suspends without prejudice and makes no presumption of guilt.

A student may be suspended for the following reasons:

- To enable MC/LZ6 time to fully investigate an incident
- Where MC/LZ6 judge the risk of the student continuing at that time to be too high.
- Pending a criminal investigation.

The student will be asked to collect any belongings and leave the premises immediately under supervision.

A Letter of Suspension will be issued to the student within 5 working days stating the nature of the incident and the duration of the suspension.

A copy of the letter will be forwarded separately to the parents/carers of students who are under the age of 18.

A copy of the letter will be forwarded separately to the employer of students who are on release from employment.

Exclusion

Exclusion may occur for a single incident without recourse to the early stages of the student disciplinary procedure.

Exclusion may be for a fixed period or permanently from MC/LZ6. In the case of permanent exclusion, the student's name will be included on MC/LZ6's list of Proscribed Students.

A Letter of Exclusion will be issued to the student within 5 working days of the hearing stating the nature of the misconduct and the duration of the exclusion. The letter will also contain information on a student's right of appeal.

A copy of the letter will be forwarded separately to the parents/carers of students who are under the age of 18.

A copy of the letter will be forwarded separately to the employer of students who are on release from employment.

Right of Appeal

All students have the right to appeal against exclusion from the course.

An appeal will only be heard on the following grounds:

- Conclusions drawn from the hearing were not sufficiently supported by the available evidence.
- The outcome was disproportionate to the misconduct.
- Relevant new evidence has come to light.
- The procedure was operated unfairly to the student's disadvantage.

Appeals should be lodged with the Principal's or Headteacher's PA within 5 working days of the date on the letter of exclusion or withdrawal from the course. The Principal or Headteacher will decide whether an appeal is justified and should there be valid grounds, a Student Appeals Panel Hearing will take place within 5 working days of the appeal being lodged and be chaired by the Principal, Headteacher or a senior postholder not involved at any earlier stage. Details on how the appeal will be conducted will be forwarded to the student with the date of the Student Appeals Panel Hearing. Students may be accompanied by a parent/carer/relative/ employer/fellow student. The DRF will be completed and kept on the student's file throughout the duration of their time at MC/LZ6.

If no appeal is made within the notice period, there will be no further opportunity for a student's case to be heard.

Macclesfield College/LZ6 Student Disciplinary Policy and Procedure
LZ6 Management Committee
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