

SKILLS EMPOWERMENT TRAINING SOLUTIONS STUDENT DISCIPLINARY POLICY

Preamble

The following procedures provide a framework within which action may be taken by the Centre at the appropriate level, whilst providing the learners and employers with clear guidelines and the opportunity for appeal.

The procedures distinguish between the student in difficulty, and the student involved in a serious breach of discipline.

1. The Student in Difficulty

Disciplinary action may be taken in a variety of circumstances. These may include:

- Frequent absences without satisfactory explanation
- Failure to complete work by the set deadline
- Anti-social behaviour
- Breaches of centre rules
- Poor effort and/or achievement grades
- Failure to attend

Stage 1

The Assessor will discuss the difficulty with the student, the outcome of which is recorded and try to agree a solution.

Stage 2

The Assessor will record any important issues or agreed actions and monitor these throughout and within an agreed timescale

Stage 3

If there is still no improvement, within the deadline set, the Assessor notifies the IQA of the learner's continuing difficulties and provides the relevant evidence for stages 1 and 2 of the disciplinary procedures.

The IQA will then arrange a meeting with the student, within a working week. The IQA may issue a **formal warning** to the student, together with further

improvement guidelines which may include a period of 'On Report'. The outcome of the meeting is confirmed in writing to the student and the student

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must sign to confirm receipt of the formal written warning. The letter should draw their attention to the Student Disciplinary Policy

Stage 4

If there is no subsequent improvement in the student's behaviour, the I.V will issue the student with a **final formal written warning** together with improvement guidelines. The student must sign to confirm receipt of the final formal written warning.

Stage 5

If there is again no improvement, the student will have their **course of study terminated** by the Centre Manager. The student will be notified in writing and sent the Centre's Student Disciplinary Policy and Procedures which draw attention to the appeals procedure.

If expulsion is the outcome the student may elect to have their case heard by the Appeals Committee. The student must write, within five working days of notification of expulsion, to the Appeals Committee c/o the Centre Manager.

2. Serious Breaches of Discipline

Any member of staff should report any serious breach of discipline directly to the Centre Manager.

Serious breaches of discipline may include:

- Anti-social behaviour
- Theft
- Fighting, assault on another person
- Bullying
- Deliberate damage to Centre property
- Substance abuse or being under the influence of alcohol or illegal drugs
- Possession of, or dealing in, any illegal drugs
- Malpractice in external examinations
- Misuse of computer equipment or software

The Centre Manager shall have the power to suspend a student for serious breach of discipline for a period not exceeding five working days, during which investigation would be conducted. The Centre Manager shall be responsible for

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liaising with the learner. The reason for suspension will be given in writing to the student.

Within three working days of the suspension the student concerned will be informed of any proposed further action, which shall be EITHER:

- A **final formal written warning** and the student must sign to confirm receipt of the final formal written warning. OR,
- If the breach of discipline is sufficiently serious, **immediate expulsion**. If the outcome is expulsion, reasons for this will be confirmed in writing to the student and accompanied with the centre's Student Disciplinary Policy and Procedures which draw their attention to the appeals procedure.
- If, following the final formal written warning, there is a further breach of discipline the student may have their **course of study terminated** by the Centre Manager. The student will be notified in writing and sent the Centre's Student Disciplinary Policy and Procedures which draw their attention to the appeals procedure.

If expulsion is the outcome the student may elect to have their case heard by the Appeals Committee. The student must write, within 3 working days of notification of expulsion, to the Appeals Committee c/o The Centre Manager.

The Appeals Committee

The Appeals Committee will consist of:

- An Internal Quality assurer or Tutor from a different qualification to that of the student. This person shall serve as Centre Representative and Secretary to the Committee.
- A student representative from another department
- A Centre Manager/Principal from an independent institution.

The Centre Manager shall not be a member of the Appeals Committee.

No member of staff shall form part of the Appeals Committee if he or she has been involved in referring the matters which are the subject of the disciplinary action or if he or she has been directly involved in the circumstances surrounding any such matter.

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The Appeals Committee shall meet as soon as possible and, in any case, not later than five working days from the date when it became necessary for it to be convened.

The student concerned shall have the right to appear (and be accompanied by a lay representative - normally - if he or she wishes) at a meeting of the Appeals Committee.

The Committee shall have the power to suspend or to expel the student.
The decision of the Appeals Committee shall be final.

Role Of Centre Representative

The appointed IQA or tutor will represent the Centre.

Appeals Committee Procedures

Once the student has indicated that he or she wishes to invoke the Appeals Committee hearing, the following parties must be informed in writing of the date of the hearing and the procedures for the Appeals Committee -

- The student concerned (the complainant)
- The student member of the appeals committee
- The Centre representative

Communications

The Centre's representative will act as Officer for the Appeals Committee and for all subsequent communication

Statements

At least two working days before the hearing, the Secretary will supply the complainant, the members of the Appeals Committee –

A written statement by the complainant with any relevant background information.

A written statement summarising the Centre's position in the complaint. Copies of any documents which are to be put before the Appeals Committee.

Meeting of the Appeals Committee

The Chair of the Appeals Committee will outline the complaint, the outcome of previous investigations and identify the principal issue(s) to be resolved.

Opinion will be sought from the complainant and the Centre representative.

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The Chair will then decide whether both parties will be present throughout the proceedings, or will be present only when explaining their position and answering questions. Whatever the decision, the Chair will have the right to ask a party to withdraw if it becomes necessary.

The complainant and/or her or his lay representative will explain their position and answer any questions put by the Committee or the College representative.

The Centre's representative will explain the position of the Centre and answer any questions put by the Committee or the complainant.

Witnesses may be called, whose anonymity may be protected at the discretion of the Chair of the Appeals Committee.

Both parties will sum up their case and then withdraw from the Appeals Committee.

The Committee will deliberate on the appeal in private.

The outcome of the hearing will be based on the majority decision of the Committee.

The Committee may adjourn any hearing to receive further evidence they may require, to enable an interested party to attend, or for any other appropriate reason.

The Secretary will keep brief notes of the proceedings and record the decision, which will be signed by the members of the Committee. This record will not be made public, but will be available to the parties.

The Decision of the Appeals Committee

After the formal hearing, the complainant and the Centre Manager are to be notified in writing by the Secretary to the Committee as soon as possible, but within three working days, of the decision of the Committee and the reasons for it.

The decision of the Appeals Committee is final.