

## Student Services Procedure

### Higher Education Student Disciplinary & Behaviour Management Procedure

<i>Reference and Version number</i>	<i>Higher Education Student Disciplinary &amp; Behaviour Management Procedure V1.2024</i>
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<i>Approving body</i>	<ul style="list-style-type: none"> <li>• <i>Policy and Procedure Panel</i></li> <li>• <i>SLT</i></li> </ul>
<i>Date Approved including Impact Assessment</i>	<i>April 2025</i>
<i>Linked policies and procedures</i>	<ul style="list-style-type: none"> <li>• <i>Tutorial Guidance</i></li> <li>• <i>Safeguarding Children &amp; Vulnerable Adults and Prevent Policy</i></li> <li>• <i>Fitness to Study Procedure</i></li> <li>• <i>Searching, Screening &amp; Confiscation Procedure</i></li> </ul>
<i>Date of next review</i>	<i>April 2026</i>

## Part 1 – an Introduction to Higher Education Student Disciplinary & Behaviour Management

### 1. Introduction

1.1 At Hertford Regional College (HRC) we are committed to providing a learning environment in which students can give their best and participate freely in College activities. The purpose of the procedure is to promote positive behaviour as a way of supporting student progress towards reaching their potential. In cases where support for students is unsuccessful and/or the student displays unacceptable behaviour, this will involve applying appropriate sanctions to protect the interests and learning of other students and staff.

1.2 All students have the right to learn and a responsibility to allow others to learn in a safe, secure and respectful environment. Hertford Regional College also has a responsibility to provide staff with a safe, secure and respectful environment in which to work. The aim of this procedure is to ensure the provision of such an environment, to support the learning process and to promote acceptable conduct at all times.

1.3 This procedure applies on all College premises and to all College related activities, on or off site including online activity, such as College-arranged transport to and from College, visits, study tours and residential (UK or overseas). Also, if the activities of a student bring the College into disrepute even when they take place away from College premises this procedure can apply. Activity online or via digital media that is offensive or threatening to staff or students is also within this procedures remit.

1.4 The aims of the Procedure are:

- To enable all students to complete their course successfully
- To ensure all students achieve good attendance and punctuality, complete work to a good standard and meet all deadlines and targets
- To act against disruptive or noncompliant behaviour
- To take action against acts of gross misconduct
- To ensure that all students are treated fairly
- To identify and take supportive action with students at risk of preventing themselves or others from successful study
- To safeguard the property and business of the College and the health and safety of its students, staff, contractors and visitors

1.5 The procedure applies to all higher education students studying full time or part time including students on courses with university partners.

Students on courses with university partners will, in addition to this policy, also be held accountable under the policies and procedures of their university partner.

1.6 This procedure assumes that all higher education students are over 18 and therefore classed as an adult. If a student is under 18, then the parent/carer will also be informed as appropriate, of any actions taken as part of this procedure.

## **2. Statement of Procedure**

2 Student behaviour on both campuses is generally good, and Hertford Regional College aims to foster a safe and secure environment where staff and students can study, learn, grow and develop to their full potential.

2.2 The standards of behaviour expected are promoted in College literature, posters, BRAVO, Induction and through the course sessions so that everyone is aware of expectations.

2.3 Good academic performance and general good behaviour in the college, such as respectful and courteous behaviour, and compliance with The Student Code of Conduct, is essential to student success. The Student Disciplinary and Behaviour Management Procedure will be followed when students fail to meet the expectations outlined in the Student Code of Conduct i.e. when there is poor behaviour and/or under-performance.

2.4 A student subject to disciplinary action will be advised of how to find the Student Guide to the Disciplinary and Behaviour Management Procedure so they are clear as to the arrangements to be followed and can see that procedures are properly and fairly carried out. Students have the right of appeal against the outcome of stage 3 of the disciplinary process.

2.5 There are four stages to the disciplinary procedure which will be outlined fully within the disciplinary procedure.

These are:

1. Informal Positive Engagement
  2. Formal Meeting Stage 1
  3. Formal Meeting Stage 2
  4. Formal Disciplinary Panel Hearing Stage 3
- 2.6 The Student Disciplinary and Behaviour Management Procedure ensures the academic success, safety and well-being of all students at the College. It sets out the disciplinary procedure for students who breach the Student Code of Conduct (Appendix 1).
- 2.7 Formal Stage 1, 2 and 3 disciplinary records will be monitored annually to ensure that students are receiving equitable treatment under the procedures.
- 2.8 The Procedure recognises that sometimes students with a learning difficulty or disability may display behaviour that would normally result in disciplinary action. In these circumstances, it may be more appropriate to deal with the behaviour outside of normal procedures. In such cases staff will seek the advice of the Head of Student Services.
- 2.9 Our aim is for this procedure to be trauma informed as such we will:
- Clearly communicate expectations, via induction, tutorials and promotion of BRAVO and the Student Code of Conduct.
  - Provide a graduated discipline system that offers options at all levels to change behaviours and improve outcomes. Enforced withdrawal is only a last option.
  - At all levels of the procedure use positive engagement and both internal and external services (as appropriate) to support students and improve behaviour and outcomes.
  - Train staff to be Trauma Informed in their interactions with students.
- 2.10 University partners will be informed of the commencement of disciplinary procedures when appropriate. Support and guidance may be requested from university partners to assist students during the disciplinary process.

Hertford Regional College will make disciplinary data available for any University monitoring visits.

### **3. Radicalisation and Extremism**

- 3.1 The college seeks to protect its students against the messages of violent extremism including, but not restricted to, those linked to Islamic extremism, far right extremism and extremist animal rights movements.
- 3.2 Behaviours and actions which are deemed to be of an extremist or radical nature will be dealt with in line with the College's safeguarding policy, available on the College website and on Staffnet.

### **4. Bullying Harassment & Sexual Misconduct**

#### **4.1 Bullying**

Hertford Regional College adopts the following definition of bullying:

'A physical, psychological or verbal attack against an individual or group of individuals by a person or group of persons, intending to cause physical or psychological harm to the victim.'

Bullying is the use of aggression with the intention of hurting another person. It is usually

conscious and wilful and commonly consists of repeated acts of aggression and/or manipulation. People can be bullied on the grounds of:

- Race
- Gender
- Age
- Sexual orientation
- Disability
- Socio-economic status
- Nationality
- Language
- Religion
- Belief
- Other real or perceived differences

However, it can also be for no apparent reason. Bullying can take many forms, including:

- Use of IT and mobile telephones, i.e. cyber-bullying and text messages, over social media (please see appendix 4 “Misuse of social media”)
- Being called names
- Being teased or taunted
- Being pushed or pulled around
- Being hit or attacked
- Having bags and other possessions taken and thrown around
- Having rumours spread
- Being ignored and left out
- Being forced to hand over money or possessions
- Being attacked because of religion, colour, ethnicity, language, sexual orientation, disability, gender, class, age, family circumstances etc.

Bullying can be subtle or it can be blatant. It can cause short-term suffering for the victim or it can go on for years, but it is always damaging and the college will always take it seriously and address it.

#### 4.2 Harassment

Harassment (as defined by Section 26 of the Equality Act 2010) includes unwanted behaviour or conduct which has the purpose or effect of violating a person’s dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment because of, or connected to, one or more of the following protected characteristics:

- age
- disability
- gender reassignment
- race
- religion or belief
- sex
- sexual orientation

Harassment also includes domestic violence and abuse (which can also involve control, coercion and threats) and stalking.

Harassment can also include any incidents of physical violence towards another person(s) on the basis of a protected characteristic and hate crimes, such as those criminal offences, which are perceived by the victim or any other person to be motivated by hostility or prejudice, based on a person's disability or perceived disability; race or perceived race; or religion or perceived religion; or sexual orientation or perceived sexual orientation or transgender identity or perceived transgender identity.

#### 4.3 Sexual Misconduct

Sexual misconduct relates to all unwanted conduct of a sexual nature. This includes, but is not limited to:

- Sexual harassment (as defined by Section 26 (2) of the Equality Act 2010) (Sexual Harassment is unwanted behaviour of a sexual nature which: violates the victims dignity. makes them feel intimidated, degraded or humiliated or creates a hostile or offensive environment. This may take the form of unwanted sexual approaches, touching, comments, sexual jokes and can also be via the internet or other communication methods.)
- Unwanted conduct which creates an intimidating, hostile, degrading, humiliating or offensive environment (as defined by the Equality Act 2010)
- Assault (as defined by the Sexual Offences Act 2003)
- Rape (as defined by the Sexual Offences Act 2003)
- [Physical unwanted sexual advances](#) (as set out by the Equality and Human Rights Commission: Sexual harassment and the law, 2017)
- [Intimidation, or promising resources or benefits in return for sexual favours](#) (as set out by the Equality and Human Rights Commission: Sexual harassment and the law, 2017)
- Distributing private and personal explicit images or video footage of an individual without their consent (as defined by the Criminal Justice and Courts Act 2015).

Definitions include harassment and sexual misconduct through any medium, including, for example, online.

In the event of an accusation of sexual misconduct both the reporting and responding parties will be offered support by members of the safeguarding team.

#### 4.4 Ensuring Acceptable Performance and Behaviour

Staff have responsibility for ensuring that students adhere to their commitments as expressed in the Student Code of Conduct and BRAVO code. Managers have responsibility for ensuring that staff are effective in their duties and behave according to the ethos and policies of the college.

Ensuring the above has, in some circumstances, the danger of being interpreted as intimidation or even bullying. To minimise this possibility, it is important that staff, when raising serious issues, particularly persistent issues, do so clearly but politely and respectfully.

Such an approach, particularly when support is offered, is intended to help to minimise the possibility of people feeling intimidated and improve the likelihood that issues will be resolved.

#### 4.5 Responsibilities

Everyone in the College must take responsibility for promoting a common anti-bullying/anti-harassment approach and all members of the College community are expected to report and challenge incidents of bullying and harassment without fear or favour.

#### 4.6 We expect that staff will:

- Ensure that all alleged incidents of bullying & harassment, perceived or otherwise, are reported to line managers and acted upon, and that they are recorded/reported via CPOMS.
- Provide a good role model by behaving in a respectful and caring manner with students and colleagues.
- Undertake training to help them to deal effectively with issues of bullying and harassment.
- Tackle specific incidents of bullying and harassment through the disciplinary procedure, if appropriate.
- Raise awareness during sessions in the classroom of bullying & harassment.
- Record, monitor and investigate reported incidences of bullying and harassment via CPOMS.

#### 4.7 We expect that students will:

- Support College staff in the implementation of anti-bullying measures
- Become involved in the monitoring of the policy via Student Voice
- Feel confident to challenge and report incidence of bullying or harassment
- Feel reassured that bullying and harassment is taken seriously and is always tackled by the College.

#### 4.8 We expect that the Governing Body will:

- Support the Principal and College staff in the implementation of anti-bullying/anti-harassment measures
- Be fully informed on all matters concerning bullying and harassment in the College.

#### 4.9 Dealing with, Recording and Monitoring incidents

All reported incidents will be taken seriously and will be investigated. The College's overall goal will be to stop bullying and harassing behaviour and to ensure that any victim is supported and protected.

Each stage of the investigation will be recorded via CPOMS and, if appropriate, the matter will be dealt with through the College's disciplinary procedure and University partners will be informed if and when appropriate. Complaints of bullying or harassment can be reported to any member of College staff.

#### 4.10 The college will continue to update its policies and procedures in line with conditions set out by the Office for Students (e.g. 'Condition E6: Harassment and sexual misconduct' which will come into force on 1<sup>st</sup> August 2025), and via guidance from any University partner if their updated procedures have an impact on Hertford Regional College procedures.

## **5. Equality and Diversity Statement**

5.1 Hertford Regional College is committed to the promotion and development of equality and diversity. This procedure is designed to ensure consistent, effective and fair treatment for all and has been impact assessed to ensure that it does not adversely affect users on the grounds of age, disability, race, gender, sexual orientation, gender reassignment, religion and belief or pregnancy and maternity. This procedure will be implemented in accordance with our Single Equality Scheme, SEND Reform and GDPR. The impact of this procedure on equality and diversity issues has been assessed.

## **6. General Data Protection Regulation (GDPR) Statement**

6.1 When dealing with student disciplinary meetings, the College processes personal data collected in accordance with its data protection policy. At Hertford Regional College, we are committed to protecting the privacy and security of all personal data. All data is held securely and processed in accordance with GDPR guidelines to ensure confidentiality and integrity. Any data breaches will be promptly addressed and dealt with severely. For more information, please refer to our comprehensive Data Protection Policy.

## **7. Student misconduct that may also constitute a criminal offence**

- 7.1 The nature and scope of an internal disciplinary process and nature and scope of a criminal process are fundamentally different. The College recognises that any allegation of misconduct which may constitute a criminal offence is likely to have an adverse impact on all students involved. All students involved in any such incidents will be directed to the Student Services and Welfare Teams.
- 7.2 The College will consider each case on an individual basis and will consider if, by taking any action, it would prejudice an investigation and/or any subsequent prosecution. The College will also consider whether there are circumstances that make it unreasonable or irrational for the College to reach its own view about what happened while an independent investigation is considering the same facts.
- 7.3 This may lead to the suspension of a student or measures put in place such as reduced time on campus or a risk assessment whilst criminal proceedings take place. Advice from the police will be taken, this could in some circumstances lead to a long suspension.
- 7.4 For further information please see Appendix 9.

## Part 2 – Higher Education Student Disciplinary & Behaviour Management Procedure

### 1. Summary

- 1.1 The purpose of the disciplinary procedure is to bring to a student's attention that his/her behaviour is in breach of the Student Code of Conduct and BRAVO and is, in the opinion of the College, likely to have a negative impact on the student, fellow students, the college or staff.
- 1.2 Hertford Regional College will do all it can to encourage the positive engagement of all students. This procedure aims to ensure consistency of approach to promoting and rewarding positive behaviour as well as dealing with unacceptable behaviour and misconduct.
- 1.3 All members of staff should contribute to the success of this procedure by relentlessly, but positively, challenging poor behaviour and engagement through immediate, direct intervention.
- 1.4 To create a culture of positive engagement, Hertford Regional College will:
  - encourage all students to meet the standards of conduct, attendance and work performance required by the College;
  - promote the highest possible degree of consensus about standards of behaviour among staff, students, parents and employers;
  - provide clear guidelines about these standards and their practical application;
  - recognise, reward and celebrate positive behaviour;
  - recognise and appropriately challenge unacceptable behaviour;
  - ensure consistent and just treatment for all regardless of their age, ethnic origin, gender, disability, sexual orientation, marital status, religion or belief;
  - constantly strive to address unacceptable behaviour through positive engagement but be ready to accept that, on occasions, the disciplinary route is more appropriate;
  - ensure that, whilst a disciplinary route may be necessary for a particular individual at a particular time, there may well remain a role for positive engagement activities running in parallel;
  - empower and enable staff to make the essential judgements on the most appropriate response to an incident of unacceptable behaviour.

### 2. Standards of Behaviour Expected

- 2.1 The standards of behaviour expected of students at Hertford Regional College are set out in the **Student Code of Conduct and our BRAVO code** and all students at Hertford Regional College have a responsibility to uphold these codes at all times.

Departments may also have vocationally relevant codes of conduct that students are expected to follow.

- 2.2 Good Behaviour & Using Encouragement and Praise

In order to create a culture of positive engagement and mutual respect, staff must be clear about their role in promoting positive engagement as well as being clear with students about what is expected of them.



Every opportunity should be taken to remind students of what constitutes good behaviour, rather than reinforcing bad behaviour by taking a punitive approach. This is best achieved by being consistent and fair and by the use of encouragement and praise.

### 3. Defining Unacceptable Behaviour/Conduct

It is very important that all unacceptable behaviour is addressed in some way. Ignoring such behaviour can and will be interpreted by some as tacit approval of the behaviour by a member of staff and is very likely to lead to repetition, if not escalation, and increased difficulty in dealing with that behaviour going forward.

Guidance on gross misconduct and tackling poor learner performance is provided in Appendices 2 and 3.

#### 3.1 Types of Unsatisfactory Conduct

For the purpose of administering our student disciplinary and behaviour management procedure we have categorised unsatisfactory conduct against the relevant meetings:

Types of unsatisfactory conduct	Relevant Meeting
Unsatisfactory academic performance/low level disruption	Positive Engagement Meeting
Misconduct or persistent low level disruption/unsatisfactory academic performance	Stage 1 and 2 Disciplinary Meeting
Gross Misconduct or persistent misconduct/unsatisfactory academic performance	Stage 3 Disciplinary Panel Hearing

#### 3.2 Suspension and Sanctions

##### Who can suspend a student?

The table below outlines which member of staff can suspend or give a cooling off period to a student.

Action	Who can Suspend
Timeout/Cooling Off Period	Duty Manager, Managers, Curriculum Area Manager (CAM)
Suspension	Directors, CAMs, Head of Student Services

#### 3.3 Cooling off Period

A Cooling Off Period is intended for low level incidents where an appropriate staff member considers this to be the most effective way to diffuse a situation. It can also be used where a student is in college but refusing to go to their lesson. One or more students may be sent home for a short period to cool off and reflect on their behaviour or actions. The cooling off period should not be used for misconduct or gross misconduct behaviour e.g. fights, criminal damage, bullying etc. Although may be used whilst investigations take place in such cases.

## **Actions to be taken**

- Issue student with Cooling Off letter which can be found at Receptions at both sites. (See sample letter in Appendix 8 Document 1).
- Agree when student is next expected in for meeting with CAM to discuss.
- Ask student for their ID and send a request to MIS to their block card.
- Record Cooling Off on ProMonitor.
- On the very rare occasion that the student is under 18, their parents/carers must be informed by phone or email and a copy of the letter sent to parents.

The student/s involved in the incident will return to College when a meeting with their Curriculum Area Manager has been arranged, this should be done as soon as possible to ensure minimal loss of learning time. The purpose of the meeting is to discuss the incident, with any available evidence, and decide what further action should be taken, if any.

### **3.4 Other Actions**

Prior to a disciplinary meeting it may be necessary to put in place other actions such as a reduced timetable to prevent students from meeting prior to a disciplinary outcome, in this way it may be possible to avoid suspension. It may be deemed a risk assessment is necessary which may place restrictions or expectations on the student concerned. See Appendix 10 for an example of a risk assessment.

### **3.5 Suspension**

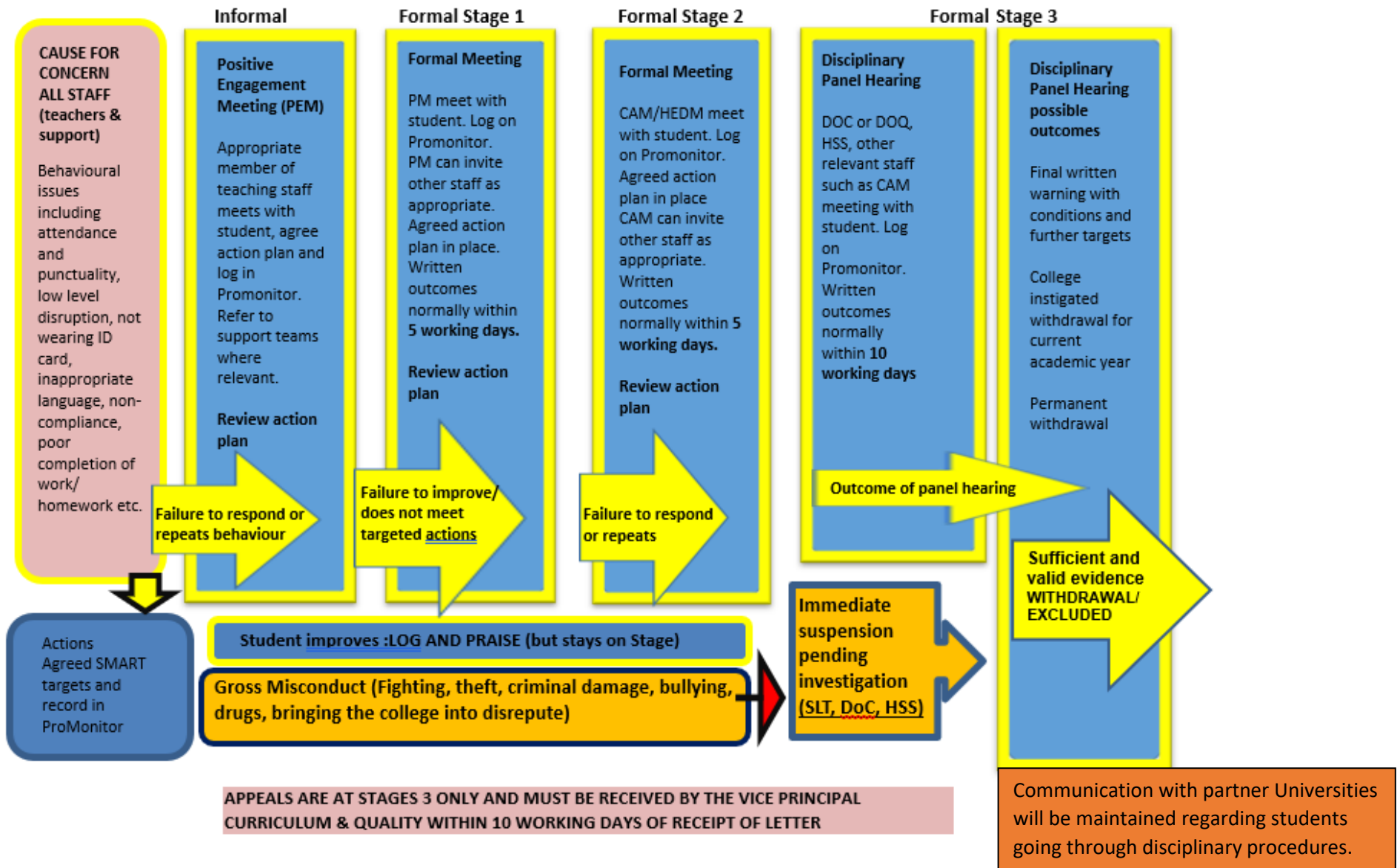
It may be deemed that prior to a student having a disciplinary meeting that they need to remain suspended until this has taken place. This will often be in the case of suspected Gross Misconduct. Suspension should always be as short a time as possible and should never be used as a sanction or punishment. Suspended students should be provided with work to do whilst they are not in College.

## **4. Stages of the Disciplinary Procedure**

There are normally four stages to the disciplinary procedure, building progressively towards possible college instigated withdrawal (informal, formal stage 1, formal stage 2 and formal stage 3), and each stage is explained more fully in the sections that follow. The flow chart on page 11 summaries key information for each stage. These meetings can be held either face to face or virtually. On occasion the severity of the behaviour may mean that stages are not used progressively for example in the case of misconduct or gross misconduct a student may immediately be taken to stage 2 or 3.

The College and partner institutions have a Fitness to Study procedure and in some circumstances it may be better to follow this procedure if a student's behaviour, performance or attendance is affected by mental or physical health issues.

**DISCIPLINARY PROCEDURE FLOW CHART – ALL BEHAVIOURS (INCLUDING ATTENDANCE AND PUNCTUALITY)**



#### 4.1 Informal Stage Positive Engagement Meeting (PEM)

Minor misbehaviour may occur at any time. Wherever possible, this should be dealt with through informal means at the time by the member of staff witnessing the behaviour. However, if the behaviour requires follow up, a note should be added on ProMonitor advising the students tutor of the behaviour, it could be that the member of staff reporting the behaviour is the appropriate member of staff to hold the meeting.

Poor punctuality, attendance, lack of engagement and poor learning behaviour in lessons and failure to meet assignment deadlines may all lead to a cause for concern on Promonitor.

Failure to wear visible ID at all times whilst on site is a breach of our safeguarding expectations and should attract a disciplinary warning. No student should be allowed on site without an ID card. (See Appendix 5, Procedure when a learner forgets their ID).

Upon receiving details of misbehaviour:

- a) Relevant member of staff (Programme Manager/Tutor) will arrange a Positive Engagement Meeting with the student at the earliest opportunity to discuss the problem and explore solutions, including any support that might be needed or is available.
- b) The relevant member of staff and student should agree an action plan appropriate to the circumstances, specifying the required improvements in behaviour as well as timescales for improvement, and a record of this must be made on the student's Individual Learning Plan (ILP) on ProMonitor within a 'Positive Engagement Meeting'. This should be referred to Student Services if extra support is required relating to counselling, student welfare, financial support, additional learning support or careers advice. The student must be made aware of the possible ramifications should improvement not be made as agreed.
- c) During the next 1:1 tutorial or relevant lesson, the member of staff should review and note whether or not the student has achieved the agreed action plan targets, and record this on the ILP.
- d) If the action plan has been successfully carried out the disciplinary process ends. If there has been no improvement, or there is further notification of misconduct, the procedure moves on to formal Stage 1.
- e) Throughout this informal process, the member of staff must ensure that they are keeping the relevant Programme Manager and Higher Education Development Manager (HEDM) informed of the issues and discussions. In some cases, it may be more appropriate for the Programme Manager to carry out this informal process with the student. Welfare Advisors are also available to support the student through the process.

#### 4.2 Stage 1 Formal Meeting – PM

If there has been insufficient improvement following the informal process, further notification of misconduct or a serious incident of misconduct, then the procedure moves to formal Stage 1. The Stage 1 procedure should be carried out by the relevant Programme Manager (PM).

- a) The student should be notified that Stage 1 of the procedure is being invoked, and the reasons why. The meeting should be held as soon as possible and not more than **10 working days** between the need for the disciplinary being ascertained and the date of the meeting. Clear communication should be sent to the student to

state the meeting is happening and their attendance is required (failure to attend buy the student could instigate the next stage of the disciplinary process).

- b) Notification should be in the form of a letter to the individual (Appendix 8, Document 2). The Higher Education Development Manager should be notified.
- c) The student is entitled to be accompanied, either by a parent, guardian, relative, carer, friend (other than a suspended or excluded student) to provide support. This entitlement must be included in the written notice of the formal meeting.
- d) The Chair will be the PM. Other relevant staff may be present at the invitation of the Chair. The Chairperson should assemble all available evidence of the misbehaviour or misconduct, including any witness statements from staff, students and/or third parties. In the use of evidence particularly CCTV, GDPR needs to be adhered to.
- e) The student will have the right to respond and may bring evidence to support his/her position.
- f) The person accompanying the student may not undertake the meeting on behalf of the student, and may speak only to ask for, or provide, clarification of what is being said by any of those present.
- g) At the conclusion of the meeting, the Chair may ask the student and support to withdraw whilst the evidence is considered. Alternatively, the student may be given notice of when a decision will be reached.
- h) Irrespective of any verbal decision being communicated to the student, the Chair *must notify the student in writing of the outcome of the Stage 1 disciplinary meeting within 5 working days of the meeting* (Appendix 8, Document 3).
- i) The outcome of the disciplinary meeting could be one or more of the following:
  - i. No further action
  - ii. An action plan with targets
  - iii. Escalate to Stage 2
- j) A copy of the letter of confirmation should be placed on the student's file.
- k) The outcome of the stage 1 should also be recorded on the student's ILP within 'Stage 1 disciplinary meeting', with details of any action plan and targets including conditions for continuation on programme.
- l) Tutors should continue to work with the student to support them in achieving targets in any action plan or compliance with any conditions for remaining on the programme, and progress should be recorded on the student's ILP. They should involve other College staff, for example, College Counsellor or College Welfare Adviser as appropriate.
- m) PM will conduct the review and record on the student ILP whether or not the student has met the conditions and/or achieved the agreed action plan targets.
- n) If the conditions have been met and/or the action plan has been successfully carried out the disciplinary process ends. The PM will verbally inform the student of this.
- o) If there has been no improvement, or there has been further notification of misconduct, then the procedure moves on to Stage 2.

#### 4.3 Stage 2 Formal Meeting – CAM and/or Higher Education Development Manager

If there has been insufficient improvement in behaviour following a Stage 1 meeting, further notification of misconduct, or persistent unsatisfactory academic performance, then the procedure moves to formal Stage 2. The Stage 2 procedure should be carried out by the Curriculum Area Manager (CAM) and/or Higher Education Development Manager. Where incidents involve more than one curriculum area CAMS should discuss so outcomes are fair and student services to be involved if needed.

- a) The student should be notified that Stage 2 of the procedure is being invoked, and the reasons why. The meeting should be held as soon as possible and not more than **10 working days** between the need for the disciplinary being ascertained and the date of the Meeting.
- b) Notification should be in the form of a letter to the individual (Appendix 8, Document 4), within the letter should be guidance as to where to find the Student Guide to the Disciplinary and Behaviour Management Procedure.
- c) The student is entitled to be accompanied, either by a parent, guardian, relative, carer, friend (other than a suspended or excluded student), to provide support and ensure fairness. This entitlement must be included in the written notice of the formal meeting.
- d) In some instances of gross misconduct, or continued misbehaviour for which college instigated withdrawal may be an outcome, the student may be suspended until the disciplinary meeting takes place. The decision to suspend a student should be taken by the Director of Curriculum, in circumstances where the DOC is unavailable, this decision can be made by a Curriculum Area Manager or the Higher Education Development Manager. In exceptional circumstances the Duty Manager can suspend students.
- e) In instances of suspension, the student's ID card should be taken unless there are reasons not to such as needed for bus travel, MIS notified to block student ID card and the relevant flag entered on the system.
- f) The Meeting will be conducted by the CAM acting as chairperson and other relevant staff may be present at the invitation of the Chair. Notes of the meeting should be taken and kept on the student's file.
- g) The chairperson should assemble all available evidence of the misbehaviour/ misconduct, including any incident reports and witness statements from staff, students and/or third parties.
- h) The alleged misconduct or misbehaviour will be presented to the student, together with the supporting evidence.
- i) The student will have the right to respond and may bring evidence to support his/her position.
- j) The person accompanying the student may not conduct the Meeting on behalf of the student, and may speak only to ask for, or provide, clarification of what is being said by any of those present.

- k) At the conclusion of the Meeting, the Chair may ask the student and support to withdraw whilst the evidence is considered. Alternatively, the student may be given notice of when a decision will be reached.
- l) Irrespective of any verbal decision being communicated to the student, the Chair must notify the student in writing of the outcome of the Stage 2 disciplinary Meeting within 5 term time working days of the meeting (Appendix 8, Document 5).
- m) The outcome of the disciplinary Meeting could be one or more of the following:
  - I. No further action
  - II. An action plan with targets, and possible warning around future conduct.
  - III. Escalate to a Stage 3 Panel Hearing
- n) It must be made clear in the written outcome that a breach of any conditions for continuing on programme, or failure to achieve the action plan targets will lead to a Stage 3 Disciplinary Panel Hearing.
- o) The outcome of the Stage 2 should also be recorded on the student's ILP under 'Stage 2 disciplinary meeting' with details of any action plan and targets including conditions for continuation on programme.
- p) Except where a college instigated withdrawal is recommended (in which case a stage 3 meeting will be held), the CAM must make appropriate arrangements for when a review of any conditions or action plan with the student is to take place, and who will conduct it. As a minimum, this should be at Curriculum Area Manager level.
- q) Prior to the review date the student should be reminded of when and where the review will take place. The person conducting the review must gather from relevant staff an update on the student's progress in meeting any conditions or action plan targets.
- r) Conduct the review and record on the student's ILP whether or not the student has met the conditions and/or achieved the agreed action plan targets.
- s) If the conditions have been met and /or the action plan has been successfully carried out the disciplinary ends. This must be noted on the student's file.
- t) If there has been no improvement the student must be informed of this in writing (Appendix 8, Document 7) and that consequently they will be recommended for Stage 3.
- u) If the outcome of the Stage 2 meeting is a recommendation for college instigated withdrawal, the CAM should notify all parties of the outcome and the CAM will put the student forward for stage 3.

#### 4.4 Stage 3 Formal Disciplinary Panel Hearing

- a) Curriculum Administrators will liaise with relevant managers and curriculum staff and set up stage 3 panel meetings. Panel members to review all documentary evidence relating to the misconduct. The panel will be chaired by the relevant Director of Curriculum or another Director/Head of Student Services where required and will include the Head of Student Services (or a nominee of the HoSS), the Higher Education Development Manager and other relevant staff as deemed

appropriate by the Chair. Often the most appropriate person to present the evidence is the CAM and/or Higher Education Development Manager.

- b) The student should be notified that Stage 3 of the procedure is being invoked, and the reasons why. The student must be given reasonable written notice of the date and time the Stage 3 panel is to take place, and of the members of staff that will be present. The timescale should be within 10 working days between the need for the disciplinary being ascertained and the date of the meeting. In extenuating circumstances the time scale could be extended.
- c) Notification should be in the form of a letter sent by the Curriculum Team/Administrator to the individual (Appendix 8, Document 7).
- d) The student is entitled to be accompanied, either by a parent, guardian, relative, carer, friend (other than a suspended or excluded student). This entitlement must be included in the written notice of the formal meeting. The person accompanying the student may not undertake the meeting on behalf of the student, and may speak only to ask for, or provide, clarification of what is being said by any of those presenting. The college reserve the right to halt the panel hearing if the meeting deteriorates and becomes unmanageable. It may be advantageous to have a formal agenda for such a meeting there is a suggested agenda in Appendix 7.
- e) The panel chair will notify the student in writing of the outcome of the Stage 3 within 10 working days of the panel meeting by way of a letter. Summary notes will be taken and placed on the student's ILP within 'Stage 3 disciplinary meeting' by the curriculum team.
- f) The outcome of the panel meeting could be one or more of the following:
  - i. No further action
  - ii. A further action plan with targets and final warning around future conduct
  - iii. Approval for college instigated withdrawal for current year (this will mean that re-application for next year will be permitted)
  - iv. Approval for permanent college instigated withdrawal. This needs to be noted on ProSolution via Administrators and marked to show for all years.
  - v. In some circumstances the panel may choose a different outcome such as reducing the level of disciplinary to a stage 2 or merely noting the outcome because the student has left.
- g) The outcome of the meeting will be recorded formally in writing. (Appendix 8, Document 9), sample letter of outcome of exclusion panel hearing. If action plan is not adhered to the student will not go through another stage 3 and the likely outcome will be approval for withdrawal. Also, a student on a stage 3 action plan will remain on this for the remainder of the academic year.

## **5. Appeals Procedure**

5.1 A student has the right to appeal against any decision arising from a stage 3 formal disciplinary hearing.

5.2 Notice of appeal must be made within 10 working days of the written notification of the outcome of the disciplinary meeting being sent.



- 5.3 The appeal must be lodged with the Vice Principal Curriculum and Quality, Hertford Regional College, Turnford, Herts, EN10 6AE, and should be made in writing. If help is needed with this, the College Welfare Adviser may assist with this part of the process. They should not, however, write the appeal on behalf of the student. Assistance is only to present a clear and coherent appeal.
- 5.4 The appeal letter must clearly present the reasons for the appeal, for example new evidence has emerged since the meeting. A re-statement of what was discussed at the disciplinary is not a ground for an appeal. A letter in the form of an apology and promise to be better behaved will not be considered to be a proper appeal against the decision.
- 5.5 If no appeal is received within 10 working days of the date of the letter or email, the outcome of the formal stage disciplinary meeting, together with any conditions, will be upheld.
- 5.6 An appeal lodged within these procedures will be considered within 15 working days of receipt of the letter by the Vice Principal or assigned representative.
- 5.7 As part of the appeal process, the VP (or assigned representative) may require additional information, in particular, to further explain the reasons for the appeal and to state the case for reconsideration of the original decision where this is not clear. In this instance, further discussions with the student lodging the appeal and/or members of college staff may be required. This may be via telephone conversations, email correspondence or possibly face to face meetings.
- 5.8 Where it is deemed that a face-to-face meeting with the student is required, the student is entitled to be accompanied by a parent, carer, relative or friend (other than a suspended or excluded student), for support purposes during this meeting. Non-verbatim summary notes of the meeting should be taken and kept on the student's file and recorded on the student's ILP, along with copies of associated letters.
- 5.9 Witnesses will not normally be involved at this stage, except in relation to any relevant new evidence presented.
- 5.10 A suspended student remains suspended whilst the process is carried out.
- 5.11 The VP or assigned representative will consider whether to allow the appeal, dismiss the appeal, or moderate the recommendation of the original disciplinary hearing. They may not impose a more severe sanction than originally applied.
- 5.12 The final decision of the appeal will be confirmed in writing within 5 working days of the final consideration. No further appeals against the same disciplinary outcome will be considered.

## **6. Screening and Searching**

### **6.1 Screening**

The College will use CCTV and other means to observe behaviour throughout the College premises and use images to identify students whose behaviour is unacceptable. It may be impossible to show CCTV footage because of GDPR.

Hertford Regional College will work in collaboration with other external agencies such as the police, to implement appropriate screening strategies such as metal detectors, arches, wands and sniffer dogs in order to detect prohibited items such as weapons or drugs. This tactic will be used at random or specifically as appropriate. Should the police decide to follow up their screening with a search the College will facilitate this.

## 6.2 Search Procedure

Where the College suspects a student is carrying a prohibited item, the College has the right to ask the individual to consent to a search. If any prohibited items are found this goes to a stage 3 meeting, refusal to be searched may also lead to a Stage 3 meeting. See Search Procedure on Staffnet.

## 7. The Involvement of Parents/Carers and other parties

7.1 The college will refer to its Confidentiality Procedures when dealing with confidential student information, and on most occasions will not involve the parents/carers of HE students unless permission is given by the student and such permission has been documented.

7.2 As per section 3.3 of the 'Confidentiality Procedure', *"in extreme circumstances in the students' vital interests' the College can make contact without consent"* of any students 18 or over to their emergency contact notes on ProMonitor.

7.3 Where appropriate, the College will liaise with and update partner Universities for students on partnership programmes, if any behaviour or disciplinary matters arise that have implications on the student's study (e.g. academic misconduct, failure to attend timetable sessions, withdrawal). This will also include the University Accommodation and Welfare Teams, where students are in Halls or deemed to be at risk.

7.4 The College will inform the Student Loans Company (SLC) when appropriate in cases of student withdrawals.

## 8. Allegations Against Staff

8.1 Students sometimes make allegations about staff behaviour. When an allegation is made against staff it will be investigated and appropriate action taken, according to the staff disciplinary procedure or safeguarding procedure as appropriate.

8.2 Students should be advised that if allegations are found to be vexatious, this will be treated as gross misconduct, and they will be given the chance to withdraw the allegation at this point. If a student admits to making a false allegation at this stage it will be treated as minor misconduct, and an informal disciplinary given.

8.3 If the student continues to make an allegation, and it is subsequently found to be false, then this should be treated as gross misconduct, and a formal disciplinary process should be instigated, in accordance with the disciplinary procedure.

## **9. Presentation of Evidence**

- 9.1 During any of the stages evidence may be presented in a manner of forms such as ProMonitor comments, statements from witnesses, information from IT systems, screen captures and CCTV. It is important to protect the identities of those involved for example students' names should be removed from statements, other students mentioned in ProMonitor comments should not be referred to. Whilst members of the panel can see all evidence there may be reasons that it cannot be shown to students and those accompanying them. For example, CCTV footage showing other students or captures from others phones that identify individuals. It is important that confidential information is shared only with those who need to see it and those giving information confidentially need to be reassured this will not be shared beyond the panel members.
- 9.2 For all stages of the discipline process evidence such as statements, emails, social media and CCTV may be used. These will be presented and summarised by a member of staff during the meeting. To protect the identity of others and to fulfil our duties under GDPR the presenter will summarise for example removing names from a statement or in the case of CCTV evidence describing what they have seen. (See appendix 11)

## Appendix 1 – Student Code of Conduct

By enrolling at the College you have agreed to abide by this code of conduct. The student code of conduct is to help you succeed and to make your college a safe place to learn:

1: Attend all sessions and inform the college immediately if you are going to be late or absent.

2: Be on time and be prepared for all sessions on your timetable and remember to bring the right equipment to lessons.

3. Respect the Highway Code rules when using the carpark or these rights will be withdrawn.

4. Remove all hats and coats when in classrooms or study areas.

5: Meet all deadlines and targets for your work and complete it to the very highest standard you are able to.

6: Make sure all work is your own. Do not cheat or plagiarise (copy) other people's work.

7: Do not use a mobile device in classrooms or study areas *unless a member of staff has allowed it.*

8: Follow instructions from staff during lessons and on college premises helping to create a safe environment where everyone can learn.

9: Pass the six week Induction period before you can continue your chosen programme of study. (Not relevant to HE students)

10: Wear your ID cards at all times and ensure it is visible, and if requested, hand it to a member of staff for inspection. Do not allow others to use your ID and do not help others to enter the college without ID.

11: Show respect for all students, visitors and college staff at all times including when you are online, by respecting the rights and views of others. Never use abusive language or display behaviour which is aggressive, violent or in any way threatening to any person in the college. Never display extremist or discriminatory views that promote violence or break the law.

12: Sexual misconduct is unacceptable. Sexual harassment which is unwanted behaviour of a sexual nature such as touching, sexual comments, degrading names or the creation of a hostile environment will not be tolerated and offenders will be sanctioned.

13: Always act in a way that maintains the college's good reputation by respecting residents in our local community and acting appropriately in the local area, including avoiding children's play areas & private estates. Also do not bring the college's reputation into disrepute by your actions online such as posts on social media.

14: Always show respect for college property and use college buildings and equipment safely and carefully.

15: Follow health and safety procedures and follow the college's IT Code of Practice. This includes bullying and posting on social media items that bring the college into disrepute.

16: Never bring illegal drugs, alcohol or weapons into the college. Smoking and vaping are only permitted in the designated smoking areas at each campus.

17: Anybody caught stealing from anywhere on the college premises will be suspended and may face possible legal action.

18: Wear appropriate clothing that is safe and suitable for the industry that you aspire to work in and do not wear hoods, motorcycle helmets, ski mask or face coverings (other than those for medical/religious purposes) inside the college.

## Appendix 2 – Tackling Poor Learning Performance: A Guidance Note

All students should start the year on the right course at the right level. However, on occasions, HE students do withdraw from courses for differing reasons.

On some occasions, HE students can begin to lose motivation which leads to poor academic performance. Symptoms of this can include poor punctuality, erratic attendance, poor behaviour in lessons and poor or late work.

If the recruitment process has been conducted effectively, no student should drop out except in very exceptional circumstances, and the great majority of students should finish successfully and progress.

If this hasn't happened, this needs to be addressed rapidly, due to liability for student finance payments and it can also become a retention problem.

However, even where this is the case, students can begin to lose motivation which leads to poor academic performance. Symptoms of this can include poor punctuality, erratic attendance, poor behaviour in lessons and poor or late work.

Early intervention is the key to success in tackling poor academic performance. Led by the Director of Curriculum, staff should consider the following in tackling under-performing students:

- Talking as soon as possible face to face with students to raise concerns – this can be informal and brief, or a more formal one-to-one session.
- Calling students to a formal meeting to review their performance.
- Asking more senior departmental staff to talk to them, or even the Vice Principal Curriculum & Quality or the Principal.
- Having them report each day they are in to a member of staff.
- Putting them on a report card which has to be signed each session they attend.
- Putting them on a formal Action Plan to get work in.
- Bringing them in for extra sessions to catch up with work in the library or LRC.
- Writing home to parents to express concern and ask for a telephone conversation or meeting (not relevant to students over 18, unless specific permission from the student has been given in writing).
- Referring them for counselling or mentoring.
- Short term exclusion – say 1 day or 1 week– pending a review meeting.

*Please note, this list is not exhaustive. The main thing is to be pro-active and flexible in responding to different types of poor performance and the different personalities of students.*

Please remember that withdrawal should only happen when we are sure we've tried everything to avoid it.

Whatever action is taken, it is essential that this is recorded on the student's Individual Learning Plan, so that there is clear evidence to present in the event a withdrawal or exclusion is considered.

In the end, if none of these interventions work, then disciplinary action must be taken.

### **Appendix 3 – Guidance for Staff: Gross Misconduct**

1. Theft of College property or the property of any other person in College
2. Vandalism of any College property or the property of other College users (such as private cars)
3. Violent conduct, or conduct that appears likely to lead to violence, threatening and abusive behaviour
4. Importing obscene, distasteful or violent images into classrooms or other public areas
5. Racist, sexist, bullying or other harassing behaviour contrary to the College's Equality and Diversity Policy
6. Conduct that puts at risk the health and safety of the student concerned or others
7. Sexual assault and acts of indecency involving others
8. Serious misuse of College IT facilities. This includes hacking into College systems; introducing viruses; altering or tampering with settings; the public display of pornographic or other inappropriate materials or saving such items to disk or memory sticks.
9. Carrying an offensive weapon
10. Possession of drugs
11. Possession or use on College premises of a weapon or any other form of physical object or chemical substance that could be used to threaten, harm or endanger others. This includes the possession of replica guns and the misuse of aerosols.
12. Possession or use on College premises of unlawful drugs or other proscribed substances.
13. Consumption on College premises of alcohol, except in properly licensed and supervised areas.
14. Being under the influence of drugs or alcohol, whether or not consumed off College premises, such that the student is unable to participate satisfactorily in classroom activities.
15. Being under the influence of drugs or alcohol when attending a class, workshop or practical session, where the individual's health and safety is at risk, or puts at risk the health and safety of others.
16. Making statements or accusations against others that are untruthful or false.
17. Plagiarism, presenting another person's work as your own, copying, cheating or allowing another person to access your work for the purpose of copying it.
18. Conduct damaging to the reputation or the business of the College, or the University for those students registered with one of our partner Universities.

Examples of misconduct given above are illustrative only and not exclusive. The College maintains the right to consider other behaviour that presents itself as unacceptable, even if not included in the above at the present time.

Where the student is involved in activities which are against the law, the College will involve the Police. However, the decision to report a matter to the Police will be taken by the Duty Manager or a member of the Senior Leadership Team, unless any member of staff judges that the student(s) concerned or any third party are at risk of significant harm.

## Appendix 4 – Misuse of Social Media

On occasion staff may receive complaints from students about other students abusing or threatening or bullying them by various types of social media. Often much of this takes place outside of College and not during the college day. In our commitment to safeguard all our students we will endeavour to support in such cases. Below is some advice on how to do so:

- If a student has been threatened or feels the law has been broken over social media the College always advises that they report this to the police.
- The Police have greater resources to investigate such matters.
- The College's first response to such matters is to try and bring about reconciliation between parties and in extreme cases take students into the disciplinary process if there is misconduct or gross misconduct. Our social media strategy states "If a member of staff or a student is found to be engaging in any form of online activity that is deemed as cyber bullying, bringing the reputation of Hertford Regional College into disrepute, and/or uses the Internet in any way to attack or abuse students, staff members, teachers or tutors then that person could face disciplinary action."
- A student who is complaining about another's conduct must be prepared to share all their communications so an understanding of context is established.
- Any student accused needs the right to reply.
- It may be the case that students are advised to block each other on various platforms, the College cannot enforce this but students need to understand that if they do not take advice offered it becomes difficult for the college to support.
- Students are also expected to act in a professional manner as we prepare them for the world of work.



## Appendix 5 – Procedure when a learner forgets their ID card

All staff, learners and visitors are required to wear their ID badges at all times whilst in the College. The only exceptions to this would be where learners or staff are required to remove their badges for health and safety reasons. In this case the learners should be in a room with a member of staff and the ID badge has been requested to be removed for health and safety reasons. The badge must be worn again as soon as they finish carrying out the activity.

The rules and expectations around wearing ID badges will be reinforced from when learners are enrolled.

The following will happen if a student arrives without a badge:

- Where any learner arrives at reception without their ID badge, the reception/ security staff will check the age of the learner. For any learner age 16 or over, they will explain that the learner must either return home to collect their badge or pay £5 for a new one. If they are trying to gain access to the College with an old badge, a charge of £3 is payable for reactivation.
- If they are unable or unwilling to pay, their Curriculum Area Manager shall be called if not available the Duty Manager (DM) will be called. The CAM or DM will then discuss the issue with the student concerned and decide if a new card is to be issued. In the vast majority of cases this should resolve the situation, in certain circumstances though a student may be sent home to get their card, in such a case the Programme Manager (PM) should be informed and asked to provide the work that has been missed.
- If a learner has been sent home and is under 18 then the letter on the following page should be sent to the parents / carers.

*No learner under the age of 16 will be sent home without recourse to the Duty Manager. In this case the Duty Manager will liaise with the 14-16 team, or with the Workwise management team to contact the host school or the parents before allowing the learner to leave the campus.*

Note: The Financial Support team should be aware of this procedure and if the learner is having financial difficulties and cannot pay the £5 or £3, they should be referred to the Financial Support team. If the learner simply refuses to pay they are failing to comply with the College rules and expectations and this will escalate the disciplinary stage.

## **Appendix 6 – College ID card: Disciplinary warning letter to student**

*To be printed on College headed paper*

*Hertford Regional College (Either) Broxbourne Campus or Ware Campus*

(Date)

Dear

### **IMPORTANT LETTER REGARDING YOUR COLLEGE ID CARD**

As you know, it is College procedure that all staff, students and visitors should wear an ID card when in the College. This is to promote the safety of all who use the College by ensuring that only authorised people are on the College premises. This expectation is clearly stated in your induction, in the Student and Programme Handbooks and on posters prominently displayed around the College.

This is to confirm that:

- You did not have your ID card with you today and you did not have / were not willing to pay £5 for a new card.
- You have been sent home from College to find your existing ID card.
- If you continue to fail to bring and wear your ID card then formal disciplinary action will be taken and may ultimately result in exclusion from the college.

Yours sincerely

(Name of tutor)

(Department)

## Appendix 7 – Agenda for Stage 3 Meeting

### Stage 3 Formal Disciplinary –

Date:

Time/Location:

Student name:

Course:

Present:

- Introductions of attendees and process
- Outline of Process and Possible Outcomes
- Presentation of Evidence
- Response from Learner
- Questions from the panel
- Break (if Necessary)
- Summary

**DOCUMENT 1 – Sample Letter: Cooling Off Period**

Reference: *Reference number (to include Student ID Number)*

*Date*

*Student - title first name surname*

*Address 1*

*Town*

*County*

*Postcode*

Dear Student (*add name*)

**Re: Incident today**

You have been involved in an incident today which has resulted in you being issued with Cooling Off Period. You have been asked to leave the campus and go home and to reflect on your behaviour.

You must return to college on: ..... at:.....

for a meeting with.....

**OR**

You will be contacted by the Curriculum Area Manager for the department you are studying in who will arrange a time for you to come in for a meeting.

The purpose of the meeting is to discuss the incident, with any available evidence, and make a decision on what will happen next.

It is important you turn up for this meeting as your absence could result in this incident being referred through the formal student disciplinary procedure.

If you are under 18 your parent/carer will be informed that you are being sent home.

Yours sincerely,

(Job Title and Department)

**Copy to:**

Student ILP (Full Time Students) or  
Progress Record  
Student Services Manager  
Director of Curriculum  
Personal Tutor

College Welfare Adviser  
Parent/ Carer/Referral Agent/ Employer/  
Virtual School (where appropriate)  
Director of Apprenticeship  
Programmes(where appropriate)  
Business Support Administrator  
(Directorate)

## DOCUMENT 2 – Sample Letter: Notification of Stage 1 Disciplinary Meeting

Reference: *Reference number (to include Student ID Number)*

*Date*

*Student - title first name surname*

*Address 1*

*Town*

*County*

*Postcode*

Dear *Student (add name)*

### **Student Disciplinary Procedure - Stage 1 Misconduct**

This is to inform you that you are required to attend a formal meeting on *date* at *time* in *location*. This meeting will be conducted by myself.

The matter to be investigated is for *reason for meeting* (please ensure a clear reason is given). If you have any documentation that you feel is relevant to this meeting please bring it with you.

(As appropriate)

You are (or) you remain suspended from College until the date of the meeting. Should you be seen on College grounds before then, and without proper authorisation, this will be treated as an act of gross misconduct.

Suspension does not necessarily imply guilt on your part. It is to ensure a proper environment in which to carry out any investigation. Whilst you are suspended your Programme Manager will ensure you have access to lesson resources and work so that you can stay on track. Please also check Moodle for any work that may have been set.

You are entitled to be accompanied at the Disciplinary meeting by either a parent, guardian, relative, carer, friend (other than a suspended or excluded student).

Please refer to the Student Guide to Disciplinary and Behaviour Management for more information, this can be found on Moodle under Student Services/A-Z of Student Guides. If you are unable to access the guide on Moodle, please pick up a copy from Broxbourne or Ware Reception.

As a student at Hertford Regional College you have access to the College's welfare service where advisers can support you in a number of ways including in this disciplinary process. You may wish to discuss the help or support advisers can offer, in preparation for your disciplinary meeting.

To make an appointment to see an advisor please contact [welfare@hrc.ac.uk](mailto:welfare@hrc.ac.uk) or visit the welfare offices:

- Broxbourne room B121, phone number 01992 411420
- Ware, situated in the Information Centre, phone number 01992 411974

Please note, if you are suspended any advice and support provided will be by phone or email as until the suspension is lifted students are not allowed on college premises.

If the misconduct is upheld, the outcome may be a written warning about your future behaviour and/or an action plan agreed with you to bring about the necessary improvements. You will be written to within 5 working days of the meeting confirming what the outcome is, and any actions or conditions that might be applied.

If the date or time is not convenient, please ask me to re-arrange the meeting for a more convenient one. If you do not attend the meeting arranged and have not asked for another date or time, the meeting will go ahead in your absence and it may be decided that the misconduct is proved.

You can view the details of this disciplinary meeting online, in the 'Meetings' section of ProPortal. Hertford Regional College staff can access the meeting details online via ProMonitor. Hertford Regional College's Further Education Student Disciplinary and Behaviour Management Procedure also requires that we make this information available to individuals outside the College, as follows:

- If you are under 18 or you are regarded as living at home under the sponsorship of a parent/carer, a copy of this letter will be sent to your parent/carer, referral agent or school, as appropriate.
- If you are in Work Based Learning, your Employer will receive a copy of this letter.

I look forward to meeting with you and using this process to support your continued learning and future success.

Yours sincerely

Programme Manager

## DOCUMENT 3 – Sample Letter: Outcome of Stage 1 Disciplinary Meeting

Reference: *Reference number (to include Student ID Number)*

*Date*

*Student - title first name surname*

*Address 1*

*Town*

*County*

*Postcode*

Dear *Student (add name)*

### Stage 1 Outcome Letter

Following the meeting that took place on \_\_\_\_\_, this is to inform you that the misconduct indicated in the letter to you (reference: \_\_\_\_\_), was upheld.

As a consequence, the following action plan will apply to you if you are to remain on the programme:

- 
- 
- 

You should know that failure to keep to these conditions may lead to Stage 2 of the College's Higher Education Student Disciplinary and Behaviour Management Procedure.

As discussed in the meeting, we will support you in meeting these conditions by:

- 
- 
- 

As a student at Hertford Regional College you also have access to the College's welfare service where advisers can support you in a number of ways. You may wish to discuss the help or support advisers can offer as you look to fulfil the conditions set.

To make an appointment to see an advisor in Ware or Broxbourne, please contact [welfare@hrc.ac.uk](mailto:welfare@hrc.ac.uk) or visit or speak to the welfare officer (Broxbourne room B121, phone number 01992 411420 or Ware welfare room by Info Centre, phone number 01992 411974).

You can view the details of this disciplinary meeting online, in the 'Meetings' section of ProPortal. Hertford Regional College staff can access the meeting details online via ProMonitor.

(As appropriate)

We will be informing the partnership institution of any issues/actions where we feel it to be appropriate and we will also be in contact with the Student Loans Company (SLC), if any outcomes have an impact on a student loan payment.

Yours sincerely

Programme Manager

## **DOCUMENT 4 – Sample Letter: Notification of Stage 2 Disciplinary Meeting (including suspension)**

Reference: *Reference number (to include Student ID Number)*

*Date*

*Student - title first name surname*

*Address 1*

*Town*

*County*

*Postcode*

Dear *Student (add name)*

### **Student Disciplinary Procedure – Stage 2 Serious Misconduct**

This is to inform you that you are required to attend a formal meeting on **date** at **Broxbourne/Ware Campus** in room **number**. This meeting will be conducted by myself.

The matter to be investigated is **reason for meeting** (please ensure a clear reason is given). If you have any documentation that you feel is relevant to this meeting, please bring it with you.

(As appropriate)

You are (or) you remain suspended from College until the date of the meeting. Should you be seen on College grounds before then, and without proper authorisation, this will be treated as an act of gross misconduct.

Suspension does not necessarily imply guilt on your part. It is to ensure a proper environment in which to carry out any investigation. Whilst you are suspended your Programme Manager will ensure you have access to lesson resources and work so that you can stay on track. Please also check for any work that may have been set.

You are entitled to be accompanied at the Disciplinary meeting by either a parent, guardian, relative, carer, friend (other than a suspended or excluded student).

Please refer to the Student Guide to Disciplinary and Behaviour Management for more information, this can be found on Moodle under Student Services/A-Z of Student Guides. If you are unable to access the guide on Moodle, please pick up a copy from Broxbourne or Ware Reception.

As a student at Hertford Regional College you have access to the College's welfare service where advisers can support you in a number of ways including in this disciplinary process. You may wish to discuss the help or support advisers can offer, in preparation for your disciplinary meeting.



To make an appointment to see an advisor in Ware or Broxbourne, please contact [welfare@hrc.ac.uk](mailto:welfare@hrc.ac.uk) or visit the welfare officer (Broxbourne room B121, phone number 01992 411420 or Ware welfare room by Info Centre, phone number 01992 411974). Please note, if you are suspended any advice and support provided will be by phone or email as until the suspension is lifted students are not allowed on college premises.

If the misconduct is upheld, the outcome may be a written warning about your future behaviour and/or an action plan agreed with you to bring about the necessary improvements.

You will be written to within 5 working days of the meeting confirming what the outcome is, and any actions or conditions that might be applied.

If the date or time is not convenient, please ask me to re-arrange the meeting for a more convenient one, however, it is important this is in a timely fashion so we may not be able to rearrange so that others such as parents/carers can attend. If you do not attend the meeting arranged and have not asked for another date or time or it cannot be rearranged, the meeting will go ahead in your absence and it may be decided that the misconduct is proved.

You can view the details of this disciplinary meeting online, in the 'Meetings' section of ProPortal. Hertford Regional College staff can access the meeting details online via ProMonitor.

(As appropriate)

We will be informing the partnership institution of any issues/actions where we feel it to be appropriate and we will also be in contact with the Student Loans Company (SLC), if any outcomes have an impact on a student loan payment.

If the misconduct is upheld, the outcome may be a written warning about your future behaviour and/or an action plan agreed with you to bring about the necessary improvements. You will be written to within 5 working days of the meeting confirming what the outcome is, and any actions or conditions that might be applied.

I look forward to meeting with you and using this process to support your continued learning and future success.

Yours sincerely

Curriculum Area Manager

## DOCUMENT 5 – Sample Letter: Outcome of Stage 2 Disciplinary Meeting

Reference: *Reference number (to include Student ID Number)*

*Date*

*Student - title first name surname*

*Address 1*

*Town*

*County*

*Postcode*

Dear *Student (add name)*

### Stage 2 Outcome Letter

Following the meeting that took place on \_\_\_\_\_, this is to inform you that the serious misconduct indicated in the letter to you (reference: \_\_\_\_\_), was upheld.

As a consequence, the following action plan applies to you if you are to remain on the programme and I must warn you that continued misconduct may lead to further disciplinary action:

- 
- 
- 

You should know that failure to keep to these conditions may lead to Stage 3 of the College's Further Education Student Disciplinary and Behaviour Management Procedure. As discussed in the meeting, we will support you in meeting these conditions by:

- 
- 
- 

As a student at Hertford Regional College you also have access to the College's welfare service where advisers can support you in a number of ways. You may wish to discuss the help or support advisers can offer as you look to fulfil the conditions set.

To make an appointment to see an advisor in Ware or Broxbourne, please contact [welfare@hrc.ac.uk](mailto:welfare@hrc.ac.uk) or visit or speak to the welfare officer (Broxbourne room B121, phone number 01992 411420 or Ware welfare room by Info Centre, phone number 01992 411974).

You can view the details of this disciplinary meeting online, in the 'Meetings' section of ProPortal. Hertford Regional College staff can access the meeting details online via ProMonitor.

(As appropriate)

We will be informing the partnership institution of any issues/actions where we feel it to be appropriate and we will also be in contact with the Student Loans Company (SLC), if any outcomes have an impact on a student loan payment.

Yours sincerely

Curriculum Area Manager

## **DOCUMENT 6 – Sample Letter: Suspension**

Reference: *Reference number (to include Student ID Number)*

*Ware / Broxbourne Campus*

*Date*

*Student - title first name surname*

*Address 1*

*Town*

*County*

*Postcode*

*Dear Student (add name)*

### **Notice of Suspension pending Student Disciplinary Procedure – Gross Misconduct**

Further to our conversation of today, you are hereby suspended from Hertford Regional College until further notice. An investigation into the incident that you were involved in will be carried out. The Director of Curriculum will then write to you to invite you to return to College to attend a disciplinary Meeting.

Suspension does not necessarily imply guilt on your part. It is to ensure a proper environment in which to carry out any investigation. Whilst you are suspended your programme manager will ensure you have access to lesson resources and work so that you can stay on track. Please also check for any work that may have been set.

You are not to enter the College premises during this period of suspension. If you do, this will be treated as an act of further misconduct. Security has been informed of your suspension and your student ID card has been cancelled until further notice.

This letter cancels any other disciplinary meetings which may have been arranged. A copy of this letter will be sent to your parent/carer (include as appropriate - for HE students if formal permission to contact the parent/carer has been prearranged).

Yours sincerely,

Name  
Director of Curriculum

## DOCUMENT 7 – Sample Letter: Notification of Stage 3 Disciplinary Panel Hearing

Reference: *Reference number (to include Student ID Number)*

*Ware / Broxbourne Campus*

*Date*

*Student - title first name surname*

*Address 1*

*Town*

*County*

*Postcode*

Dear *Student (add name)*

### **Student Disciplinary Procedure – Stage 3: Gross Misconduct** (could delete of for attendance)

This is to inform you that you are required to attend a formal panel meeting as part of the above process on **date** at **Broxborune/Ware Campus** in room **number**. Please report to reception on arrival at the college.

The matter to be investigated is .... *(Nature of misconduct, could include relevant comment from ProMonitor please ensure a clear reason is given).*

The panel meeting will be chaired by myself. Other members of the panel will be the Head of Student Services, the Curriculum Manager, and the student. If you have any documentation that you feel is relevant to this meeting, please bring it with you.

**(If appropriate)** You are (or) you remain suspended from College until the date of the meeting. Should you be seen on College grounds before then, and without proper authorisation, this will be treated as an act of gross misconduct.

Suspension does not necessarily imply guilt on your part. It is to ensure a proper environment in which to carry out any investigation. Whilst you are suspended your programme manager will ensure you have access to lesson resources and work so that you can stay on track. Please also check for any work that may have been set.

You are entitled to be accompanied at the Disciplinary meeting by either a parent, guardian, relative, carer, friend (other than a suspended or excluded student).

Please refer to the Student Guide to Disciplinary and Behaviour Management for more information, this can be found on Moodle under Student Services/A-Z of Student Guides.

As a student at Hertford Regional College you have access to the college's welfare service where advisers can support you in a number of ways including in this disciplinary process. You may wish to discuss the help or support advisers can offer, in preparation for your disciplinary meeting.

To make an appointment to see an advisor in Ware or Broxbourne, please contact [welfare@hrc.ac.uk](mailto:welfare@hrc.ac.uk) or visit the welfare officer (Broxbourne room B121, phone number 01992 411420 or Ware welfare room by Info Centre, phone number 01992 411974). Please note, if you are suspended any advice and support provided will be by phone or email as until the suspension is lifted students are not allowed on college premises.

You may be told at the meeting the outcome of the stage 3 panel hearing. Whether or not this happens, you will be written to within 10 working days of the panel meeting confirming what the outcome is and any actions or conditions that might be applied.

If the date or the time is not convenient, please contact the Directorate Administrator on **telephone number or email** to re-arrange the meeting for a more convenient one. If you do not attend the meeting arranged and have not asked for another date or time, the meeting may go ahead without you and you will be written to regarding the outcome.

(As appropriate)

We will be informing the partnership institution of any issues/actions where we feel it to be appropriate and we will also be in contact with the Student Loans Company (SLC), if any outcomes have an impact on a student loan payment.

Yours sincerely

Director of Curriculum

## DOCUMENT 8 – Summary Notes Template for Stage 3 Disciplinary Hearing

First Name:.....Surname:.....ID  
No:.....

Date of Meeting: .....

Attendance at interview (names and roles):

.....  
.....  
.....  
.....  
.....  
.....  
.....

1. Introduction (chair outline purpose of meeting and possible outcomes)

2. Summary of evidence presented by staff:

3. Summary of student statement/ version of what happened:

4. Any other material / comments

5. Outcome of Hearing and actions if appropriate

**Administrator must place notes on ProMonitor**

## DOCUMENT 9 – Outcome of Stage 3 Panel hearing – Sample Letter

Reference: *Reference number (to include Student ID Number)*

*Date*

*Student - title first name surname*

*Address 1*

*Town*

*County*

*Postcode*

Dear *Student (add name)*

### **Student Disciplinary Procedure – Stage 3 Panel Hearing Outcome**

A stage 3 panel meeting was held on **date** which you attended, and during which evidence was discussed and considered.

**(either)** After careful consideration of the evidence presented, I am writing to inform you that the Stage 3 was upheld by the panel. As a consequence, the following action plan applies to you if you are to remain on the programme and you should know that failure to keep to these conditions or continued misconduct will lead to college instigated withdrawal.

- 
- 
- 

As discussed in the meeting, we will support you in meeting these conditions by:

- 
- 
- 
- 

As a student at Hertford Regional College you also have access to the College's welfare service where advisers can support you in a number of ways. You may wish to discuss the help or support advisers can offer as you look to fulfil the conditions set.

To make an appointment to see an advisor in Ware or Broxbourne, please contact [welfare@hrc.ac.uk](mailto:welfare@hrc.ac.uk) or visit or speak to the welfare officer (Broxbourne room B121, phone number 01992 411420 or Ware welfare room by Info Centre, phone number 01992 411974).

(or) After careful consideration of the evidence presented, I am writing to inform you that the Stage 3 was upheld by the panel. As a consequence a decision has been made to withdraw you from your programme for the remainder of this academic year, if you were to apply to return in future years it would be on an action plan to help ensure a successful return.

I can understand this may be upsetting news. Please let us know if you require any support regarding your next steps, as this can be arranged for you by the College.

If you have a College issued bus pass or other equipment please ensure these are returned to the College. You can contact the information centre on 01992 411 411 to arrange.

(or) After careful consideration of the evidence presented, I am writing to inform you that the Stage 3 was upheld by the panel. As a consequence a decision has been made to permanently withdraw you from the College, this means you will not be able to continue your studies at this college and cannot apply for any future courses with us.

I can understand this may be upsetting news. Please let us know if you require any support regarding your next steps, as this can be arranged for you by the College.

If you have a College issued bus pass or other equipment please ensure these are returned to the college. You can contact the information centre on 01992 411 411 to arrange.

In accordance with our policy, you have the right to appeal this decision within working 5-10 days of the date of this letter. Please refer to the Student Guide to the Disciplinary and Behaviour Management Procedure, this can be found on Moodle under Student Services/A-Z of Student Guides. Also, the full policy is in our website in the policies section.

(As appropriate) We will be informing the partnership institution of any issues/actions where we feel it to be appropriate and we will also be in contact with the Student Loans Company (SLC), if any outcomes have an impact on a student loan payment. We strongly advise you to communicate with the University as well as the Student Loans Company to advise them of your withdrawal.

As a student at Hertford Regional College you have access to the College's welfare service where advisers can support you in a number of ways including in this disciplinary process. You may wish to discuss the help or support advisers can offer, in preparation for your disciplinary meeting.

To make an appointment to see an advisor in Ware or Broxbourne, please contact [welfare@hrc.ac.uk](mailto:welfare@hrc.ac.uk).

However, if you are suspended or excluded any advice and support provided will be by phone or email as until the suspension or exclusion is lifted students are not allowed on College premises.

Yours sincerely

**Director of Curriculum**



## DOCUMENT 10 – Failure of Stage 3 Panel Action Plan – Sample Letter

Reference: *Reference number (to include Student ID Number)*

*Date*

*Student - title first name surname*

*Address 1*

*Town*

*County*

*Postcode*

Dear *Student (add name)*

### **Student Disciplinary Procedure – Failure of Stage 3 Action Plan**

Following the Stage 3 meeting held on **(insert date)** the stage 3 was upheld and you were required to follow a tight action plan. This action plan has not been adhered to **(insert details of parts of action plan failed)**. As a consequence a decision has been made to withdraw you from your programme for the remainder of the academic year/permanently exclude you from the College **(delete as applicable)**.

I can understand this may be upsetting news. Please let us know if you need any support regarding your next steps, the welfare team can be contacted at [welfare@hrc.ac.uk](mailto:welfare@hrc.ac.uk) and the careers team at [careers@hrc.ac.uk](mailto:careers@hrc.ac.uk)

(As appropriate)

We will be informing the partnership institution of any issues/actions where we feel it to be appropriate and we will also be in contact with the Student Loans Company (SLC), if any outcomes have an impact on a student loan payment.

If you have a College issued bus pass or other equipment please ensure these are returned to the college. You can contact the information centre on 01992 411 411 to arrange.

Yours Sincerely,

**Director of Curriculum**

## Appendix 9 – When to call the police

- Drug education is part of a well-planned programme of PSHE education delivered in a supportive environment, where students are aware of the school or college rules, feel able to engage in open discussion and feel confident about asking for help if necessary;
- Staff have access to high quality training and support

### Involving the police

It is essential to work in partnership with local officers for support and advice and where required, operational intervention.

### Drug Dogs and Drug Testing

The National Police Chief's Council does not recommend that drug dogs and drug testing should be used for searches where there is no evidence of the presence of drugs on school or college premises.

### Prevention

Schools and colleges should ensure that students have access to and knowledge of up-to-date information on sources of help. This includes local and national helplines (including FRANK for drugs, NHS Smoking Services for tobacco and Drinkline for alcohol), youth and community services and drug services. These sources can be used as part of, or in addition to, the school or college's own drug and alcohol education.

When evaluating the behaviour and safety of students under the Ofsted inspection framework, inspectors will consider student's ability to assess and manage risk appropriately and to keep themselves safe. In supplementary PSHE guidance for subject survey visits, students awareness of the dangers of substance misuse is included in the criteria for inspectors when grading the quality of PSHE delivery.

### Behaviour Management

Any response to drug-related incidents must balance the needs of the individual students with the wider school and college

community. In deciding what action to take, schools and colleges should follow their own disciplinary procedures.

Exclusion should not be the automatic response to a drug incident and permanent exclusion should only be used in serious cases. More detail on excluding students can be found in the [DfE exclusion guidance](#).

Drug use can be a symptom of other problems and schools and colleges should be ready to involve or refer students to other services when needed. It is important that schools and colleges are aware of the relevant youth and family support services available in their local area.

Sources of advice and local services should be listed in the school or college drug policy for reference. The senior member of staff responsible for drugs should have established relationships with local agencies to understand what support is available.

Schools and colleges can have a key role in identifying students at risk of drug misuse. The process of identifying needs should aim to distinguish between students who require general information and education, those who could benefit from targeted prevention, and those who require a detailed needs assessment and more intensive support.

### Harassment – see flowchart

Causing alarm or distress to another on more than one occasion, which they either know or should have known would amount to harassment of the other.

Harassment can include repeated attempts to impose unwanted communications and contact upon a victim in a manner that could be expected to cause distress or fear in any reasonable person.

- What has happened?
- Who is involved?
- What is the nature of previous incidents?

- Are there any safeguarding concerns? If YES – Refer to [Keeping children safe in education](#) and follow local safeguarding protocols



### Are there any aggravating factors?

- Is there evidence of escalating behaviour?
- Are there any on line elements?
- Is it sexual harassment? If YES – refer to [Sexual harassment guidance](#)
- Are there any hate elements?
- What is the impact on the victim?
- What are the victims' wishes?

### Theft – see flowchart

A person is guilty of theft if they dishonestly appropriate property belonging to another with the intention of permanently depriving the other of it.

Schools and colleges should take steps to establish what has happened and who is involved. The school or college would normally deal with such an incident internally unless there were aggravating factors present.

The following questions will support the school or college in the decision making process.

### Are there any aggravating factors?

- Is the stolen goods of a high value? The definition of high value here is a professional judgment call to be made by the school
- Is there evidence of escalating behaviour? Or previous incidents of a similar nature?
- Have any threats or violence been used in the course of the theft?
  - What is the impact on the victim?
  - What are the victim's wishes?
  - Is there a hate element?

## Appendix 10 – Risk Assessment

### Risk Assessment

#### Risk assessment for student A

What are the risks to the well-being and safety of student A /others	What measures are required to manage the risk/concerns?	Action by whom and by when?	Completed
Academic progress – student A failed to submit two pieces of coursework within the prescribed deadline			
Personal health and well-being – student A has a history of mental health difficulties			
Safety – student A is concerned that student B will approach her and be abusive towards her			
[Others]			

Review date .....

## Appendix 11 – Presentation of Evidence

Particularly in a stage 3 meeting a Curriculum Area Manager will need to present evidence around the students Gross Misconduct. As stated above some of this may need to be dealt with sensitively to protect the confidentiality of other students.

- The use of other students' names should be avoided.
- If possible, statements should be collected from witnesses including staff and relevant CCTV evidence.
- If the matter is complex produce a summary of events.
- In the case where a large amount of social media posting or other forms of communication are referred to, ensure relevant parts are highlighted or the relevant parts are put together in one document.
- There should be clarity around the reason that the student has reached this disciplinary stage.
- The student before the stage 3 panel should be encouraged to submit a statement of events in advance and also if they have evidence to pass it on in advance.