



Learner Disciplinary Policy

Policy Title:	Learner Disciplinary Policy
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Related Policies & Procedures:	Positive Behaviour & Attitude to Learning Policy; e-Safety Policy; Acceptable IT Use Policy



Equality Impact Assessment Tool

Name of Policy: **Compliments, Comments & Complaints Policy**

		Yes/No	Comments
1	Does the		

Learner Disciplinary Policy

1. Purpose

The Learner Disciplinary Policy is designed to deal with incidents of serious and gross misconduct.

Full-time learners are advised of what is expected of them through their Steps to Success induction to the College, and through the Steps to Success weekly hour. Apprentices and part-time learners will be advised through introductory sessions. Ready to Learn - Code of Conduct to be agreed with full-time learners and learners to sign as part of Steps to Success - week one.

If learners are unclear of the expected standards of behaviour, they should seek help from their Link Tutor/Progress Tutor/Progress Coach or Student Services. This procedure is designed to ensure that all learners receive every possible assistance and support in order to continue and achieve their course.

Parent(s)/Carer(s)/NoK (if learners are under 19 or has an EHCP), sponsoring employers, will be informed in all cases of serious and gross misconduct and will be invited to accompany the learner to meetings/hearings.

A member of the Student Services team must attend hearings for gross misconduct for any learner that has an EHCP or is a high needs learner.

2. Definition of Terms

Incidents that are deemed to be serious or gross misconduct are set out below. The list is not exhaustive and professional judgement will need to be made concerning the severity of the breach.

Serious misconduct:

– Head to issue Formal Written Warning

- Smoking/vaping on or within college premises/vehicles
- Offensive behaviour
- Acting in an unsafe manner
- Failure to comply with the College's Health & Safety Policy
- Disruption to the work or recreation of others within the local community
- Committing a criminal offence
- Compromising College security
- Malicious activation of the fire alarm system
- Misuse of College bus passes/College ID (three strikes)
- Fraudulent claim for bursary funding
- Behaviour that causes significant disruption to the learning of others or harms the reputation of the learner body and/or Suffolk New College including behaviour on all online platforms including social media.
- Making false or malicious allegations against another learner or member of staff
- Animal welfare concerns

Gross misconduct

– Director to convene Formal Disciplinary Hearing

- Offensive language directed towards others (learners, staff or visitors) – including racist, sexist, disablist or homophobic language.
- Theft of personal, College property (including employer property if related to their college programme)
- Arson
- Violence or threat of violence
- Incapability through alcohol, drugs or other substances (or suspicion of)
- Deliberate damage to college, public or employer property
- Accessing, downloading, or sending pornographic/offensive materials via internet or mobile technology
- Possession of alcohol
- Possession of a knife or weapon, which is not justified in its use as part of the learner's work.
- Possession of non-prescribed drugs, association with dealing or handling non-prescribed drugs in college or associated premises e.g., work experience and industry placements, field trips, residentials, events etc.
- Bullying, Harassment or Sexual Abuse allegations substantiated under the College's Antibullying, Harassment and Sexual Abuse Policy and Procedure for learners (including cyber bullying)
- Actions/behaviour on social media or online activity which impacts negatively on other learners, staff, visitors, partner employers, College reputation or wider community.
- Criminal activities affecting the College, its learners, staff or visitors.
- Interference with hardware, software or data belonging to or used by the College.
- Serious animal welfare concerns
- Re-occurrence of a serious breach previously dealt with by issuing a Notice of a Formal Written Warning

3. The Procedure

Serious misconduct

Head to investigate and issue Formal Written Warning where serious misconduct can be proven.

On receiving a verbal or written report on a learner's alleged serious misconduct the Head shall undertake enquiries/investigations, as they deem necessary, to establish the facts. The Head may decide, whilst the fact gathering is taking place, to put the learner on a "cooling off" period. If this is the case, the Head should communicate this to learner and NoK (as applicable).

If having considered the facts the Head deems that an incidence of serious misconduct has occurred that will formally meet with the learner to discuss the

the consequence of the learner failing to improve their 'behaviour' or a re

If an incident took place whilst completing work experience and/or an industry placement, a key contact from that employer will be invited to attend or provide a statement in their absence.

The Formal Disciplinary Hearing will be conducted in accordance with/can have one of six outcomes.

1. No case to answer
2. Final written warning

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The Deputy Principal will write to the learner (copying in parent/carer if under 19, and where they have an EHCP if over 19) within 5 working days of receipt of the appeal.

If the sanction is exclusion and the appeal satisfies 1 of the 3 grounds for appeal then a Disciplinary Appeals Panel will be convened.

The Executive team will appoint 3 members of senior staff to serve on the Disciplinary Appeals