



GUILDFORD COLLEGE GROUP POLICY

ACADEMIC/NON ACADEMIC:

Non-Academic

FRAMEWORK AREA:

Student Services

**POLICY TITLE:
Disciplinary Procedures**

Student Positive Behaviour Policy and

Consulted with:

Senior Leadership Team

DATE OF VERSION:

May 2017

**ORIGINATOR:
Quality and the Learner Journey**

Mary Corbally, Associate Principal

Status: Final	Approved by: Corporation
----------------------	---------------------------------

**Supersedes:
Procedures October 2014**

Student Disciplinary Policy and

Approved on: May 2017	Next Review date: June 2018
------------------------------	------------------------------------

Index

Policy Statement	3
Introduction	4
Principles	4 - 5
Code of Conduct	5 - 6
Disciplinary Procedure	6 - 8
Responsibilities for Student Conduct & Discipline	8
Criminal Offences	9
Suspension of Students	9
Informal Procedure	9
Representation	9 - 10
Parental, School & Employer Involvement	10
Confidentiality	10

1. STATEMENT OF POLICY

Responsible student behaviour is important for everybody who lives and works on the Guildford College Group sites, in the surrounding areas or in the towns of Guildford, Worplesdon and Farnham. Anti-social or criminal behaviour can adversely affect other people, be it other students, staff or local residents. It creates a great deal of work to address the consequences of poor behaviour, and can create worry and distress for victims, many of whom are reluctant to raise it for fear of reprisal.

1.1 Student Discipline

The behaviour of the vast majority of our students is exemplary - they are responsible and considerate. To deal with those who are not, the Guildford College Group has a disciplinary system the purpose of which is to protect the Guildford College Group and wider community and to deter those who interfere with its work and activities. Students agree to abide by the Guildford College Group rules at the time they register and they apply not just on campus but within the local area round the Guildford College Group and the towns of Guildford, Worplesdon, and Farnham as well. Parents, residents, the press, staff and students all expect us to maintain a safe, orderly and peaceful environment - we take this very seriously.

The welfare and well-being of all users of the Guildford College Group depends upon the reasonable and disciplined behaviour of Guildford College Group members. The standards of conduct, attendance and work performance expected from all students are referred to in the College Charter and Student Handbook. Relevant Programme / Course Handbooks and the Halls of Residence Handbook provide details of any additional or specific standards relevant to those areas. The disciplinary process is designed to help students achieve and maintain the high standards set by the Guildford College Group.

The aim is to ensure consistent and fair treatment for all by setting out the action that will be taken if the Guildford College Group rules are broken. The Guildford College Group will thoroughly investigate all incidents and in making judgements as to the appropriate course of action will apply the principle of “balance of probability” based on the evidence available – the Guildford College Group is not required to prove “beyond reasonable doubt”.

1.2 Scope of the Policy

The policy applies to all students of the Guildford College Group, regardless of mode of attendance, at any time they are engaged in Guildford College Group activities – whether they are on or off site, and includes residential students. It also encapsulates students engaged on short courses provided by the Guildford College Group.

This policy covers the following:

Attendance: A student’s continuing commitment to learning demonstrated through achieving a minimum level of 90% of attendance and punctuality.

Behaviour: Student's agree to abide by the Guildford College Group rules at the time they register and they apply not just on campus but within the local area round the Colleges and the towns of Guildford, Worplesdon, and Farnham as well. Parents, residents, the press, staff and students all expect us to maintain a safe, orderly and peaceful environment - we take this very seriously.

Commitment: A student's commitment to learning and academic performance including where a student is failing to meet the required standards to pass the course e.g. failure to comply with assignment deadlines, not complying with health and safety requirements, not being adequately prepared for learning activities.

In a situation where a student shows no signs of illness, mental health difficulties, emotional or behavioural disorders that may have a negative impact on the health, safety, learning and well-being of the student and others staff must refer to the Health, Well-being and Fitness to Study Procedure.

The Guildford College Group reserves the right to take disciplinary action against students for incidents not directly related to the Guildford College Group that could be considered to put other students or staff at risk or bring the Guildford College Group into disrepute e.g. allegations of assault or involvement in illegal drugs.

2. INTRODUCTION

The Guildford College Group expects students to take responsibility for their learning and actions and behave in a mature and appropriate manner at all times while involved in Guildford College Group activities.

All students should be made aware of their responsibilities and the Guildford College Group's expectations of them as part of their induction through discussion of:

- Guildford College Group Rules and Regulations
- Student Agreement
- Student Charter

Copies of these documents are available from Student Services and on Go! (Guildford College Group intranet). This policy is available in alternative formats on request.

3. PRINCIPLES

If there is an allegation that a student has breached or broken the Code of Conduct, this Disciplinary Procedure will apply. The procedure applies to students enrolled as Higher Education or Further Education students of the Guildford College Group. Each case will be investigated on its own merits.

Students under the age of 18 will normally be accompanied to a disciplinary interview or meeting by a parent or person with parental responsibility as they will be contacted by the Guildford College Group. Students over the age of 18 are entitled to be accompanied at a meeting by a student representative or a chosen friend (who is not themselves involved) at any disciplinary interview or meeting. Any student aged

under 18 whose parent or person with parental responsibility has confirmed to the Guildford College Group that they refuse to accompany may also avail themselves of the latter arrangements.

The rights of all students will be maintained and respected. Under this procedure, the Guildford College Group has the authority to discipline students and to suspend or exclude any student for just cause, or to ban or exclude any student from campus, specific residential accommodation or specific buildings even where the misconduct takes place outside of the teaching and learning environment.

The definition of misconduct is outlined in the Code of Conduct and relates to behaviour that:

- Contravenes the Guildford College Group regulations, or
- Damages the Guildford College Group or its reputation, and/or
- Constitutes a criminal offence

The Disciplinary Procedure seeks to ensure that in all decisions regarding student discipline, students are afforded a fair hearing and that penalties are appropriate. In the event that gross misconduct or criminal behaviour is committed, a student can be suspended temporarily or excluded from the Guildford College Group permanently.

The disciplinary procedure was developed with the following principles in mind:

4. CODE OF CONDUCT

The Code of Conduct explains how students are expected to behave whilst on Guildford College Group premises or where students are taking part in Guildford College Group-related activities. The Guildford College Group also reserves the right to investigate incidents which occur off-site if they are between two (or more) students, or student(s) and staff. Certain forms of wrong-doing, for example where a criminal act or a conviction occurs, may result in a suspension or exclusion even where the incident is not Guildford College Group-related.

All Guildford College Group Students:

- **Must** respect the rights of others to a quiet, clean and orderly environment.
- **Must** respect the property of other people and that of the Guildford College Group and its premises.
- **Must** abide by reasonable instructions issued by a member of the Guildford College Group's staff in the normal course of Guildford College Group business.
- **Must** abide by the Guildford College Group's Vehicle Regulations. This includes adhering to parking and speed restrictions, registering a vehicle with Student Services department, and operating a vehicle lawfully and with full consideration for others.
- **Must** abide by the Guildford College Group's Information Technology Usage Policy which can also be found on the Guildford College Group's intranet.
- **Must** wear their ID card at all times whilst on Guildford College Group premises.

- **Must** assist with enquiries, attend a meeting or a hearing when requested to do so.

What the Guildford College Group Students **MUST NOT** do:

- *Students **must not** consume alcohol, nor must they be in possession of alcohol whilst on Guildford College Group premises. Any student who is a resident and who is under the age of 18 must not consume, attempt to or buy alcohol whilst off site during a period of Guildford College Group residency (including days taken off or non- teaching time such as bank holidays).*
- **Must not** discriminate against others in any shape or form. Students are expected to fully comply with the law on discrimination and with the Guildford College Group's Equality and Diversity Policy. By way of examples (not exhaustive) bullying, racial or sexual harassment will not be tolerated.
- **Must not** take part/or be involved in any forms/types of bullying of others, by way of examples (not exhaustive) bullying towards students, staff, visitors in or out of the Guildford College Group, verbal, cyberbullying, e.g. social networking sites, email, text messages etc. Such behaviour will not be tolerated
- **Must not** behave in ways that put their own or other people's health, safety or welfare at risk and must observe all directions and regulations in respect of Health and Safety.
- **Must not** cheat in examinations or plagiarise course work.
- **Must not** bring use or be in possession of illegal or *controlled substances (drugs) or Legal High substances or drugs paraphernalia on Guildford College Group premises. The Guildford College Group strictly operates a zero tolerance to illegal drugs. (NB *Medicinal drugs that are on the Home Office's Controlled Drugs List which are prescribed by a Medical Practitioner must be previously and voluntarily disclosed by a student to a Course Manager or Tutor or to a member of Learner Services).
- **Must not** smoke (Electric Cigarettes or cigarettes) within the Guildford College Group buildings or in the grounds except in clearly signed designated areas, where receptacles supplied should be used for extinguishing all smoking materials.
- **Must not** bring the reputation of the Guildford College Group into disrepute through anti- social behaviour either on or off Guildford College Group premises.
- **Must not** use mobile phones at all in any form (including text and silent mode) during any sort of teaching and learning activity, unless identified by a member of teaching staff. Students are expected to turn mobile phones off and phones must remain off until teaching and learning has finished. (unless planned as part of the teaching & learning activity)
- **Must not** display or circulate material which could cause offence or distress to others.
- **Must not** use foul or abusive language.
- **Must not** display violent, indecent, threatening or offensive behaviour towards staff, other students or visitors to the Guildford College Group.

- **Must not** carry any offensive weapons or any objects which may be reasonably deemed as offensive by the Guildford College Group.
- **Must not** make derogatory, obscene, distressing, malicious, or indecent remarks about the Guildford College Group, its staff or students in any form including email, letter, phone, text message or on Social Networking sites (for example, Facebook).
- **Must not** breach halls and accommodation regulations through misconduct outside of teaching and learning activities; for example, in halls of residence and on campus.
- **Must not** impersonate other students and make use of their ID card to gain access to buildings, facilities or services.

5. THE DISCIPLINARY PROCEDURE

The disciplinary procedure will be invoked where there are indications that the Code of Conduct has been breached. This policy applies to both resident and non- resident students and covers all:

- Buildings on any of the Guildford College Group campuses or on any part of the estate owned by the Guildford College Group
- Halls of residence
- Social and sporting activities
- Activities in the Bar and Recreation Centre
- Activities both on and off campus where an incident involves dangerous or antisocial behaviour which may bring the Guildford College Group into disrepute

Suspension

For the purposes of this policy the term suspension should not be confused with the term exclusion. Suspension can be used as a precursor to disciplinary action during the investigative phase. It can also be used where it is considered it would be detrimental for a student to remain where the health, safety and welfare of themselves or others is compromised. Particular attention will be paid to student's resident on campus. The Guildford College Group will make no unreasonable demands in this regard but resident students may need to make urgent and alternative accommodation arrangements in the event they are suspended, and the Guildford College Group will not be liable for costs.

A period of suspension does not automatically presume guilt. A suspension should only be imposed where it is considered absolutely necessary, for example to enable an investigation to proceed unheeded where facts or evidence need to be gathered or where there is a safety consideration either for the student concerned or for others. Conditions may be attached to the period of suspension and if these are not adhered to, it is most likely to carry consequences for the student concerned if breached.

Disciplinary Stages

There are three stages plus an appeal stage. Students may request an appeal to be heard against sanctions handed down at stages 2 and 3 only. Refer to Stages in the Procedure (Appendix 3).

Disciplinary Warnings and Cause for Concerns are all recorded centrally by a member of staff on Unit E and ProMonitor, so that staff can see whether any previous or current warnings have been issued and who issued it (but not the detail). This enables staff who are considering action to check whether any attempt has been made to correct previous misconduct and whether the previous warning/cause for concern should be taken into consideration.

Where action is taken, records are stored by student name, including all correspondence entered into and is retained centrally for a period of 3 years after the student has left. Where a student is involved in more than one incident during their time at the Guildford College Group, all records are stored together in one file under the student's name.

Appeal Hearing

There can be no further internal appeal against the decision of the Appeals Panel. Once the internal procedures are exhausted, an HE student should be provided with a Completion of Procedures Letter, should the student concerned wish to complain.

If they do, they should contact the [Office of the Independent Adjudicator](#) - . This independent body was set up to review and deal with student complaints against Higher Education Institutions in England and Wales

If an FE student remains unsatisfied, students aged 16-18 have the right to complain to the Education Funding Agency- For further details see [The Education Funding Agency](#) website. Those aged 19 or over have the right to complain to the Skills Funding Agency ("SFA"). For further details, please see [Skills Funding Agency - Complaints](#).

6. RESPONSIBILITIES FOR STUDENT CONDUCT AND DISCIPLINE

Any member of staff can, and should, deal with minor incidents of an informal nature. However the following guidelines will help in making these decisions.

Guildford College Group Services Manager

Is responsible for ensuring that the Positive Behaviour Policy is implemented in a fair and equitable manner. To chair stage 2 and 3 disciplinary hearings and keep accurate records of all outcomes in line with the policy. To providing advice to staff on the disciplinary procedure and co-ordinate Stage 2 & 3 disciplinaries. The Guildford College Group Services Manager is normally available during daytime hours to support staff in managing difficult and complex student behaviour or conduct issues, particularly in communal and common areas, that require an immediate intervention. The Guildford College Group Services Manager has delegated authority from the Principal to suspend in the event of alleged gross misconduct. The Guildford College Group Services Manager will refer any formal and follow up action to appropriate person with responsibility in the relevant Faculty and the Associate Principal responsible for curriculum.

Halls of Residence

Within the Halls of Residence the responsibility for conducting and managing the disciplinary process lies with the persons detailed below. In the absence of the relevant person the line manager should appoint a person of a similar role to take on the process.

Duty Principal

The Guildford College Group operates a Duty Principal system. The Duty Principal is normally available during daytime hours at each site to support staff in managing difficult and complex student behaviour or conduct issues, particularly in communal and common areas, that require an immediate intervention. The Duty Principal has delegated authority from the Principal to suspend (see Appendix 4) in the event of alleged gross misconduct. The Duty Principal will refer any formal and follow up action to appropriate person with responsibility in the relevant Faculty.

The Duty Principal at the time of any alleged gross misconduct will act as the “investigating” officer and support the relevant Associate Principal.

Student Support and Conduct Officer (SSCO)

The SSCO is responsible for supporting staff in the management of student conduct and discipline. This includes providing advice to staff on the disciplinary procedure and co-ordinating and supporting Stage 2 & 3 disciplines. In addition the SSCO is available to support and advise Duty Principal’s and the Guildford College Group Services Manager in the discharge of their duties and training.

Educational Visits / Off-Site Activities

In the event that disciplinary action is required whilst on an educational visit the named group leader / senior member of staff shall make a discretionary decision as to the most appropriate immediate course of action, taking into account the principles of this procedure. This must be followed up immediately on return to the Guildford College Group with completion of appropriate paperwork.

7. CRIMINAL OFFENCES

If there is a genuine reason to believe that a student has committed a criminal offence, the Duty Principal will refer the matter to the relevant Associate Principal who will refer the matter to the police as appropriate, and consider whether suspension of the student would be in the best interests of the Guildford College Group and / or other students.

8. SUSPENSION OF STUDENTS

In the event of ***alleged gross misconduct***, and where it is considered that the student may pose a risk to him/herself, the Guildford College Group or the conduct of an investigation, the Duty Principal, member of the Senior Leadership Team, or Head of Learning & Standards may, if appropriate, authorise a suspension of a student for up to 10 working days. The student, and parents if under 18, must be informed in writing of the reason for suspension, the restrictions this places on them and advised of the disciplinary hearing date.

Suspension of Under 16's and Students Under 18 in the Guildford College Group Supported Accommodation - In order to ensure that all necessary child protection obligations are met no student within these categories can be removed or excluded from premises without prior discussion with Head of 14-16 / School Partnerships (for Under 16's) or Head of Accommodation and Welfare (for Residential Under 18's). In their absence the relevant Associate Principal should be contacted. Students under the age of 18 must not be sent home until their parent or legal guardian has been informed to ensure it is safe to let them travel home.

Suspension for Non-payment of Fees - In the event that a student fails to pay the required course fees, and once legal action has reached small claims action, a student may be suspended from their course by the Head of Finance (following consultation with the relevant Associate Principal) and/or certificates withheld until the full debt is recovered or they have agreed a mutually acceptable method of payment in writing with the Head of Finance.

9. INFORMAL PROCEDURE

Any member of staff can discuss minor issues of misconduct or unsatisfactory standards of work with students advising them of the standards required and the possible consequences of further or repeated unsatisfactory work or behaviour.

10. REPRESENTATION

Student Representation

Before any informal or formal interviews take place the person conducting the interview must ensure that the student has not declared a learning difficulty or disability. If they have please contact the Additional Learning Support team who will provide a member of staff to support the student during the interview.

Legal and Professional Representation

The Guildford College Group is not a court of law and does not allow legal or professional representation at any stage of the disciplinary process and will not enter into correspondence or dialogue with legal or professional representatives.

Advocacy

Some young people, vulnerable adults and those who do not have English as a first language may need help to speak for themselves and to get other people to listen to what they say. This is particularly true when they are being disciplined by other people who are in a position of power over them. Helping a student to speak for themselves during the disciplinary procedure and ensuring that they are heard is known as "advocacy". It is the responsibility of the faculty or Duty Principal to ensure that Additional Learning Support has been made aware where additional support may be required in order to ensure a student is provided with appropriate support.

Students under the Age of 16

Associate Principal for Curriculum should be notified for all incidents involving a student under the age of 16.

11. PARENTAL, SCHOOL AND EMPLOYER INVOLVEMENT

The Guildford College Group believes that behaviour and conduct needs the support and input from all relevant parties and takes the view that parents, schools and employers will be involved.

12. CONFIDENTIALITY

Some aspects of discussions or evidence may be confidential or inappropriate to share amongst a wider audience. The person chairing the meeting will make a decision as to the appropriateness of what information should be disclosed e.g. names of witnesses where there is a concern about their welfare or safety.

RELATED POLICIES

[Anti-bullying and Harassment of Students Policy](#)

[Attendance and Punctuality Policy and Procedure Child](#)

[Protection & Adults at Risk Policy](#)

[Equality and Diversity Policy](#)

All of the documents mentioned in this policy are available from the Guildford College Group internet (external Guildford College Group web page under Freedom of Information) or via the Guildford College Group intranet – Go!

POLICY AUTHORITY

The Guildford College Group Corporation
The Senior Leadership Team
Associate Principal for Finance & MI