

Student Code of Conduct and Disciplinary Policy 2024-25

1 Overview Information

Lead Responsible:	Vice Principal
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Scope

- 1 This **Student Code of Conduct and Disciplinary Policy (“the Policy”)** applies to all students enrolled at Capel Manor College for the academic year starting 1 September 2024 and encompasses all College centres, all modes of study for further and higher education courses and all other activities (such as off-site visits and study tours) organised by the College.
- 2 It supersedes all previous versions and copies of the Policy and is reviewed annually.
- 3 It should be read in conjunction with other relevant College policies highlighted in this Policy below.
- 4 By enrolling **as a student** at Capel Manor College, you are agreeing to abide by this Student Code of Conduct (“the Code”) and all other College regulations that apply to you and it is your responsibility to read, understand and follow this Code and all other College regulations.

Introduction

- 5 Capel Manor College is committed to providing fair and meaningful education for everyone within a mature and caring environment for all. This includes providing a safe, secure and friendly atmosphere and the College does not tolerate abusive, rude, threatening or any inappropriate behaviour from students, staff, volunteers or visitors to College centre(s).
- 6 Students are reminded that they are part of a wider College community (including other students, alumni, staff, governors, partners and friends of Capel Manor) and they are required to respect and preserve both the present and future reputation of the College.
- 7 This Policy is based on presumptions of respect for ourselves, each other (regardless of race, religion, age, sexuality, gender, ethnicity or ability etc.) and for the environment where we work and study which includes every College centre and all off-site activities e.g. work placement, study trips and behaviour within a reasonable vicinity of College centres.
- 8 This Policy is designed to ensure that all students are treated the same way, regardless of race, religion, age, sexuality, gender, ethnicity or ability.
- 9 Many of our campuses (and adjoining land) are open to the public so special care has to be taken to guarantee the safety of everyone and ensure that language and behaviour does not offend others. This means that high standards of language or behaviour are expected and should be maintained.
- 10 This Policy aims to indicate the types and standards of language and behaviour that we expect from our students to preserve the harmony of our community and physical and learning environment.
- 11 It does not list every acceptable and unacceptable type of language and behaviour but seeks to define and describe the needs and expectations sufficiently for students and staff to interpret the expectations and standards for themselves.
- 12 Judgement will always be required when interpreting the Student Code of Conduct to real life situations and the College reserves the right to make that judgement.
- 13 Students should be aware that failure to meet the standards in this Code may result in disciplinary action being taken against them under the Policy and this includes any action that threatens the security or health and safety of others, or detracts from learning and the learning environment.
- 14 **In any instance where illegal activities are involved or the College believes a criminal act has been carried out, the College will refer this to the police and/or other relevant authorities and evidence will be passed to them as appropriate and in accordance with General Data**

Protection Regulations (GDPR). The College may suspend disciplinary procedures until a police investigation has been completed as the police investigation takes priority.

- 15 **The College has the right to ask students to empty their bags/ pockets where staff have reasonable grounds of suspicion of criminality or illegal acts.**

Responsibilities

The **Principal** is the final arbiter in the interpretation of this Policy.

- 16 The **Vice Principal** is responsible for the development, review and implementation of this Policy and hears student appeals against Disciplinary Hearings.
- 17 **Directors of Studies** oversees and chairs Disciplinary Hearings.
- 18 **Course Managers** (and their Course Teams) are directly responsible for the overall management of student behaviour and the College disciplinary procedures involving their students and they are supported and overseen by Heads of School (or their Curriculum Leaders/Team Leaders) or Heads of Centre (as appropriate).
- 19 All **students** are responsible for familiarising themselves with the contents of this Policy and its procedures and understanding their individual responsibilities under the Policy.
- 20 All members of **staff** are equally responsible for the effective interpretation and application of the Policy and any member of staff or volunteer can raise an issue or concern which may lead to action under the disciplinary procedure.
- 21 **Student support** is available to help students with behavioural issues including the understanding and interpretation of this Policy and to give independent advice and support with its procedures (as appropriate).

Student Code of Conduct

- 22 The College is committed to providing rich and high quality learning opportunities for all in a happy, friendly and secure setting and it aims to keep rules to a minimum to foster a mature professional learning environment.
- 23 There are legal requirements by which the College is bound plus minimum standards of conduct that are needed in an open and shared community so that everyone in that community can work, learn and enjoy with core principles of harmony, respect, equality and inclusion.
- 24 **Appendix I** summarises our students' responsibilities in terms of acceptable standards of professional behaviour.

Inclusive and Professional Environment

- 25 It is important that all students contribute to an environment which is supportive of everyone and does not unfairly or illegally discriminate against any student, member of staff or visitor on the grounds of that person's race, religion, age, sexuality, gender, ethnicity or ability or any other form of unfair discrimination.
- 26 Students should ensure they are familiar with, and actively uphold, the College Equity and Inclusion Policy which is available on the College website, Moodle or upon request.
- 27 This policy is reviewed by the EDI Committee.

Bullying, Cyberbullying and Harassment

- 28 We believe that all students and staff have the right to study, work and spend their free time in an atmosphere free from verbal, physical, psychological or on-line bullying or other harassment.
- 29 Bullying (including cyberbullying) may be defined as offensive, abusive, intimidating, malicious or insulting behaviour and abuse of power which makes the recipient feel upset, threatened, humiliated or vulnerable. As with all forms of harassment, it is the impact on the individual and not the intention of the perpetrator or bully which determines whether bullying has occurred. The College monitors the use of online systems in accordance with our Acceptable Network Use policy and you could be subject to a disciplinary sanction if you are found to breach this.
- 30 Harassment may involve repeated forms of unwanted and unwarranted behaviour, but a one-off incident can also amount to harassment. Acts of harassment may be unlawful. Harassment on grounds of gender, race, religion, disability, sexual orientation or age may amount to unlawful discrimination.
- 31 Students involved in bullying, cyberbullying or harassment will be subject to the Student Disciplinary Procedures and may be suspended.
- 32 The College reserves the right to inform the police of any serious incidents.
- 33 Students should understand and abide by the College **Bullying and Harassment Policy**.

Sexual Harassment/Abuse/Violence

- 34 The College is committed to maintaining a safe and inclusive learning environment where everyone is treated with respect in person and online/ social media. Acts of sexual harassment, abuse or violence are unlawful and the College reserves the right to inform the police of any serious incidents.
- 35 Sexual harassment is any act likely to: violate a person's dignity, and/or make them feel intimidated, degraded or humiliated and/or create a hostile, offensive or sexualised environment. This also includes the distribution of unsolicited sexual imagery.
- 36 Sexualised comments will not be tolerated within the College professional learning environment. Such behaviour cannot be passed off as "banter", "just having a laugh" or "part of growing up", is a form of sexual harassment and may be unlawful.
- 37 The College will not tolerate any forms of sexual harassment and will tackle all forms of inappropriate behaviour as an important intervention to help prevent problematic, abusive and/or violent behaviour in the future.
- 38 Reports of sexual harassment will be dealt with in line with the **College Safeguarding Policy** (available on the website, Moodle and upon request).

Violence and Physical Assault

- 39 Physical assaults, fighting and other acts of violence are unacceptable and will be dealt with via the Disciplinary Policy.
- 40 Possession of weapons or dangerous materials are strictly prohibited.
- 41 Students involved in physical assault or violence or in possession of weapons or dangerous materials will be subject to the Student Disciplinary Policy and may be suspended.

- 42 The College has a legal duty to record and report acts of violence under accident reporting procedures and the College reserves the right to inform the police of any serious incidents.

Health and Safety

- 43 All students are responsible for taking reasonable care of their own health and safety and other persons who may be affected by their own acts or omissions according to statutory provisions under the Health and Safety Act 1974 at all times.
- 44 Students must not intentionally or recklessly interfere with or misuse any equipment or materials provided to them by the College (or its representatives/landlords).
- 45 Students should familiarise themselves with the appropriate College/School policies and procedures for their own safety and that of others and the College **Health and Safety Policy** is available upon request (or on Moodle).

Drugs and Alcohol

- 46 Illegal drugs are prohibited from all College premises.
- 47 Use of illegal drugs (including psychoactive substances, solvents, gasses etc.) or alcohol before or during any lesson or learning/assessment activity will impact health and safety and is unacceptable and will not be tolerated.
- 48 The possession of illegal drugs is a serious criminal offence and the College has a **zero tolerance approach to drugs**.
- 49 Students suspected or under the influence of illegal drugs or alcohol will be removed from the lesson or practical session and may be asked to empty their pockets/bags.
- 50 The College reserves the right to perform random drugs searches from time to time and this includes the use of trained sniffer dogs.
- 51 The College reserves the right to inform the police of any student found, or suspected of being, in possession of illegal drugs or dealing illegal drugs and the student will be immediately suspended pending an investigation in line with Student Disciplinary Procedures.

Vandalism and Wilful Damage

- 52 Any incidents of vandalism or damage including graffiti to College property or sites associated with the College or used for visits and outside activities are unacceptable. This includes buildings, furniture, fittings or equipment, vehicles parked on the College premises or personal property.
- 53 Students found vandalising or defacing property as described will be subject to the Student disciplinary procedures and may be suspended. The College reserves the right to inform the police of any serious incidents.

Use of Computers and Networks

- 54 The College **Acceptable Network Use Policy** and guidance is available upon request or on Moodle and you should familiarise yourself with this policy and procedures for your own online safety and that of others.
- 55 Unauthorised access or modification of the College computers, IT equipment, systems or data is forbidden.
- 56 No hardware or software (including computer games) should be installed on to the College network or other devices that has not been authorised by the IT and Networks Manager and/or Vice Principal.

- 57 The College networks and IT facilities are provided to support students with their studies and should only be used for that purpose unless agreed by the IT and Networks Manager and/or Vice Principal.
- 58 Students must conduct themselves responsibly and professionally with due regard to others that includes, but is not limited to, avoiding use of material with offensive sexual content, profane or vulgar language, racial or ethnic slurs or similarly insulting material.
- 59 Students must abide by the **Protocols for online learning** (available on Moodle) when participating in on online lessons and interacting with others online.

Disciplinary Procedure

- 60 Students may be subject to disciplinary procedures if they are deemed to have breached the Student Code of Conduct as described above and summarised in Appendix II.
- 61 Student disciplinary procedures are summarised in Appendix III – Summary of Disciplinary Procedures.
- 62 If a student is called to a Formal Disciplinary Hearing, it is essential that the correct information is properly prepared and forwarded to the Vice Principal prior to this hearing (see Appendix IV – Gross Misconduct Hearing Checklist).
- 63 The Head of School or appointed deputy undertakes the investigation with the report presented to the Director of Studies.
- 64 The Director of Studies will review the evidence and decide whether to: proceed to a Formal Disciplinary Hearing, remove suspension or refer the student case to a lower level of the Disciplinary Procedures.
- 65 Students who have been suspended following an incident where illegal activities have taken place or the College believes a criminal act has been carried out and referred the incident to the police will have weekly check ins with their tutor until the police investigation is concluded.
- 66 The Director of Studies will chair the Formal Disciplinary Hearing (see Appendix V – Formal Disciplinary Hearing agenda).
- 67 Notes will be taken at the Formal Disciplinary Hearing solely as an aid for the Chair to determine the outcome. These notes will not be shared.
- 68 The Principal will make the final decision if the Chair deems the outcome of the Formal Disciplinary Hearing should be permanent exclusion.
- 69 Should the outcome of the Formal Disciplinary Hearing be permanent exclusion, the student will not be able to reapply to study with the College in the same academic year. After this period, any future applications will need to go directly to the Principal for consideration.
- 70 The chair of a Formal Disciplinary Hearing has the right to call a halt to those proceedings if any member of the meeting behaves in an aggressive, offensive or unnecessarily obstructive manner as to prevent the hearing going ahead. In such circumstances the outcome of the Hearing will be determined based upon evidence gathered at the Hearing and during the investigation.
- 71 Any member of staff may cite a student for breaches of the Student Code of Conduct (but must inform the Course Manager or Head of School/ Curriculum Leader immediately) and College Managers may suspend students if they suspect they are involved in serious breaches of the Code of Conduct that are likely to constitute Gross Misconduct including any illegal or dangerous activity or behaviour.

Removal of Student Privileges

- 72 If a student is acting in the role of Course Representative and is deemed to have breached the Student Code of Conduct, the College may remove this privilege as part of the disciplinary procedure.
- 73 The role of Student Governor on the main Governing Body of the College is an important and responsible role (see Student Governor Terms and Conditions). If a student who has been elected as Student Governor is deemed to have breached the Student Code of Conduct or Student Governor Terms and Conditions, the College may remove them from this role as part of the disciplinary procedure.

Appeals

- 74 A student has the right of appeal against outcomes from disciplinary meetings.
- 75 Appeals must be made in writing by the student within 5 days of the date of notification of the decision of the disciplinary meeting making clear the grounds of appeal. Support is available through the Student Services team to assist students with the appeals process.
- 76 Appeals following a Breach of Conduct meeting should be addressed to the Head of School and appeals following a Misconduct meeting should be directed to the Director of Studies.
- 77 Appeals following a Formal Gross Misconduct Disciplinary Hearing must be made in writing/email by the student to the Vice Principal within 5 days of the date of notification of the decision of the Formal Disciplinary Hearing.
- 78 An appeal is not an opportunity to re-hear the original case and the students must make clear the grounds of appeal. Typically, these might include (but are not limited to):
- a. New evidence has come to light or was not considered in the original hearing/ meeting.
 - b. The procedures as set out in the Student Code of Conduct and Disciplinary Policy were not followed properly.
 - c. The sanction imposed by the disciplinary hearing/ meeting is disproportionate to the misdemeanour.
- 79 Appeals will be considered and responded to within 10 College days of receiving the letter of appeal.
- 80 In the case of a Gross Misconduct appeal the Vice Principal may wish to convene an appeal hearing to allow the student the opportunity to explain the basis of the appeal. The student may be accompanied by a parent/guardian or responsible adult.
- 81 The decision of the Vice Principal is final and there is no right to a further appeal within the College process.

Appendix I - Student Responsibilities

General Behaviour

- 82 Behave in a safe, responsible and reasonable manner at all times with due regard for your own and others health and safety.
- 83 Treat others with respect in a professional learning environment. Bullying, harassment, sexual harassment, homophobia, racism or any form of discrimination will not be tolerated and the College reserves the right to inform the police of any serious incidents.
- 84 Sexualised comments will not be tolerated within the College professional learning environment. Such behaviour cannot be passed off as “banter”, “just having a laugh” or “part of growing up”, is a form of sexual harassment and may be unlawful.
- 85 Do not engage in any form of online sexual harassment. Including:
- consensual and non-consensual sharing of nude and semi-nude images and videos. Please note the taking and sharing of nude photographs of under 18s is a criminal offence.
 - sharing of unwanted explicit content
 - ‘upskirting’ (is a criminal offence)
 - sexualised online bullying
 - unwanted sexual comments and messages, including on social media
 - sexual exploitation; coercion and threats.
- 86 Do not engage in potentially criminal sexual assault this includes behaviour such as grabbing bottoms, breasts and genitalia, pulling down trousers, ‘wedgies’, flicking bras and lifting up skirts. The College reserves the right to inform the police of any serious incidents (also see **College Safeguarding Policy**).
- 87 Students are expected to use polite and respectful language at all times whilst at College and on visits and other activities organised by the College. Swearing, sexist, racist or homophobic language is not acceptable and will not be tolerated.
- 88 Students are expected to use appropriate behaviour and language for the professional environment, avoiding ‘street’ slang/language.
- 89 Students swearing or using profane language may be subject to the Student Disciplinary Procedures.
- 90 Ensure that your Student Identification (your “ID”) is valid and clear and have your ID in possession at all times and visibly wear your ID while on the College premises, approved sites and/or engaged in College activities.
- 91 Be considerate to our own and the local community and give particular thought to less able bodied people or those with additional needs.
- 92 Care for the College and its facilities in the best way that you can and remember that the facilities are provided for your own benefit as well as others and for present and future years.
- 93 Eating and drinking (except water) is not allowed in working areas in line with health and safety risk assessments.
- 94 Make sure you obey the signs around the College (including temporary signs) such as car parking.

- 95 Follow the guidance and/or regulations when using specific facilities such as the Learning Resources Centre, Library, when using equipment such as computers/laptops or when participating in College visits.
- 96 Drive (or ride) safely according to the speed limits (10 mph for everyone) on all College roads, paths or car parks.
- 97 Do not smoke on College premises (including e-cigarettes and other devices).
- 98 Respect other people's property and ownership of property.
- 99 Respect the law.
- 100 Be truthful, honest and maintain high standards of integrity including when completing College forms or other documentation/records.
- 101 Work co-operatively with all College staff and carry out reasonable instructions and requests when asked to do so.
- 102 Remove muddy or wet boots before using the Learning Resources Centre or Library, classrooms or IT rooms.
- 103 Familiarise yourself with and follow Fire Procedures at all times wherever you are.
- 104 Take care of your possessions as the College is not insured for personal belongings.
- 105 Dispose of litter and waste correctly in the bins provided.
- 106 Return any items, equipment or books by the time required.
- 107 Follow all health and safety rules including being appropriately prepared for practical sessions with correct clothing, PPE and work ready (not under the influence of any substance or suffering the after effects of substances that may impair your ability to undertake practical activities).

Academic Behaviour

- 108 Studies prove that poor attendance and punctuality has a serious effect on outcomes within education. Attendance below 95% has been shown to result in an average reduction of one grade and this can increase to two grades if further attendance issues are evident. Consequently, Capel Manor College expects all students to attend all their timetabled lessons in order to maximise their individual personal achievement
- 109 Inform the College (normally the Course Manager) if you are going to be absent before your first lesson and on all days of any absence. Ask for support if you are struggling with attendance (we are here to help you succeed).
- 110 Do the work which is set and hand it in on time.
- 111 Attend punctually for examinations and assessments.
- 112 Do not cheat including plagiarising by copying work from another individual or source (such as the internet, books or journals) and passing it off as your own or colluding (working with others with the intent to deceive).
- 113 Do not make up (fabricate) results and/or evidence in your work/assessment or use of unauthorised materials (including copyright materials) when under test conditions or for assessment.

- 114 Attend lessons and/or examinations and do not ask others or agree to impersonate others or alter any results documents or certificates of achievement gained from studying at Capel Manor College or behaving in any other way that undermines the integrity of the assessment process.
- 115 Accept that responsibility for your learning lies with you and if you need support to ask for it from your tutor, Course Manager or Student Support and be co-operative and helpful to other staff, other students and support staff.
- 116 Respect everyone's right to study and work by using mobile phones and other devices in a considerate manner so as not to cause a nuisance to others.
- 117 Conduct yourself responsibly and professionally with due regard to others when studying online or using online resources in line with the College **Protocols for Online Learning** (available on request and on Moodle).
- 118 Understand and abide by the following College policies (*as appropriate*):
- **Controlled Assessments and Examinations Policy**
 - **Assessment, Appeals and Misconduct Policy**
 - **Acceptable Network Use Policy**

Appendix II - Examples of Unacceptable Behaviours

Cause for Concern	Breach of Conduct	Misconduct	Gross Misconduct
<p>General concerns about a student's attitude or conduct that may be affecting their learning, disrupting learning of others.</p>	<p>Repeated cautions or clear and specific breaches of the Student Code of Conduct.</p>	<p>Continued or repeated breaches of the Student Code of Conduct or more serious transgressions.</p>	<p>Severe breaches of the Student Code of Conduct</p>
<p>Examples may include:</p>	<p>Examples may include:</p>	<p>Examples may include:</p>	<p>Examples may include:</p>
<ul style="list-style-type: none"> • Failure to bring/display Student ID • Persistent or severe lateness • Persistent lack of readiness/preparation for learning equipment (including PPE, student materials) • Causing distractions or interrupting lessons or other students • Non-cooperation including not complying with instructions, missed deadlines etc. • Misuse of College equipment • Lack of respect for College environment, College facilities or processes • Rude or offensive behaviour or language • Sexualised comments • Failure to follow health and safety processes and procedures • Inappropriate use of mobiles or other devices, College computers/networks • Smoking on College grounds 	<ul style="list-style-type: none"> • Repeated misbehaviour after warnings and/or Cause for Concern • Wilful lack of co-operation, disobedience, continuous disruption of lessons or other students, rudeness, swearing or inappropriate behaviour • Persistent inappropriate use of mobiles or other devices, misuse of College equipment/ IT/ networks • Hazardous behaviour on College grounds • Disrespectful attitude towards staff, students, visitors, general public or bringing the College in to disrepute • Poor academic conduct: this may include plagiarism, collusion, persistent lack of work/ lack of effort/ missed deadlines despite support etc. • Persistent lateness or unauthorised absence despite support • Bad or abusive language, continued name calling, malicious gossiping 	<ul style="list-style-type: none"> • Bullying, abusive or threatening behaviour and intimidation or offensive behaviour to other students, staff, visitors or general public • Sexual harassment, including unwanted sexual comments and messages • Long term or wilful unauthorised absence/lateness, persistent refusal to work • Reparable vandalism, graffiti or damage of equipment/facilities etc. • Reckless misuse or misappropriation of College equipment/ facilities/ IT/networks etc. • Repeated and more serious academic conduct including more significant or deliberate plagiarism, misbehaviour in examinations • Not being able to study through the influence of drugs/alcohol or other substances 	<ul style="list-style-type: none"> • Potential criminal behaviour • Dangerous conduct for self or others • Severe bullying or cyberbullying • Any form of serious discrimination • Bringing the College into disrepute • Physical violence, fighting (including retaliation), severe abusive or threatening behaviour • Persistent and wilful refusal to cooperate • Possession, selling or use of illegal drugs or other banned substances • Theft or misappropriation of College (or other's) property, vandalism or wilful damage • Possession of dangerous substances or offensive weapons • Severe rudeness, disrespectful or offensive language or behaviour to others • Severe breaches of Computer and Networks Acceptable Use Policy • Sexual harassment including consensual and non-consensual sharing of explicit content (under 18's), nude and semi-nude images and videos, upskirting, sexualised online bullying, sexual exploitation coercion and threats, sexual violence/assault

Appendix III - Summary of Disciplinary Procedures

Stage	Action and Responsibility	Result(s)	Outcome(s)	Mitigating Circumstances/ Fitness to Study
Cause for Concern Concerns about student conduct	<ul style="list-style-type: none"> Any member of College staff can refer the student's conduct to the Course Manager That member of College staff is responsible for issuing the Cause for Concern and copying it to the Course Manager 	<ul style="list-style-type: none"> Student (and parents where appropriate) will be issued a Cause for Concern Course Manager may issue a Behaviour Contract to student if appropriate 	<ul style="list-style-type: none"> Cause for Concern/Behaviour Contract are recorded and filed by the Course Manager on student's records 	<ul style="list-style-type: none"> Course Manager meets with student and may issue a Behaviour Contract to student if appropriate Referral to Student Services.
1. Breach of Conduct Unacceptable behaviour by the student	<ul style="list-style-type: none"> Any member of College staff can refer the student's conduct to the Course Manager. The Course Manager (or an appointed deputy) is responsible for reviewing and issuing the Breach of Conduct Notification. 	<ul style="list-style-type: none"> Student (and parents where appropriate) will be issued a Breach of Conduct Report Student will be required to attend a meeting with the Course Manager Course Manager may issue a Behaviour Contract to student if appropriate 	<ul style="list-style-type: none"> Breach of Conduct//Behaviour Contract is recorded and filed by the Course Manager on ProMonitor. 	<ul style="list-style-type: none"> The Course Manager (or an appointed deputy) is responsible for arranging a Breach of Conduct Meeting with the student (and parents where appropriate). Complete Record of Concern – Fitness to Study Referral to Student Services
2. Misconduct Continued unacceptable behaviour or a more serious breach of Student Code of Conduct	<ul style="list-style-type: none"> Any member of College staff can refer the student's conduct to the Course Manager Course Manager (or appointed deputy) is responsible for reviewing and issuing the Misconduct Report Course Manager (or appointed deputy) is responsible for writing, issuing and monitoring a Behaviour Contract signed by the student 	<ul style="list-style-type: none"> Student (and parents where appropriate) will be issued a Misconduct Report Student (and parents where appropriate) will be required to attend a meeting with the Course Manager/Head of School Course Manager may issue a Behaviour Contract to student if appropriate 	<ul style="list-style-type: none"> Misconduct Report is recorded and filed by the Course Manager on ProMonitor. Meeting notes and Behaviour Contract recorded and filed by the Course Manager on ProMonitor. Further possible sanctions or restrictions may be imposed on the student e.g. exclusion from visits/study tours. 	<ul style="list-style-type: none"> Continued or ongoing concern following stage 1 or when there is significant concern about a student's behaviour, safety or ability to study. A Continuing Concerns Meeting is held by the Head of School or Curriculum Leader. All relevant people who have a direct link or support role with the student should be asked to attend. Complete Record of Continuing/ Significant Concerns – Fitness to Study. Referral to Student Services.

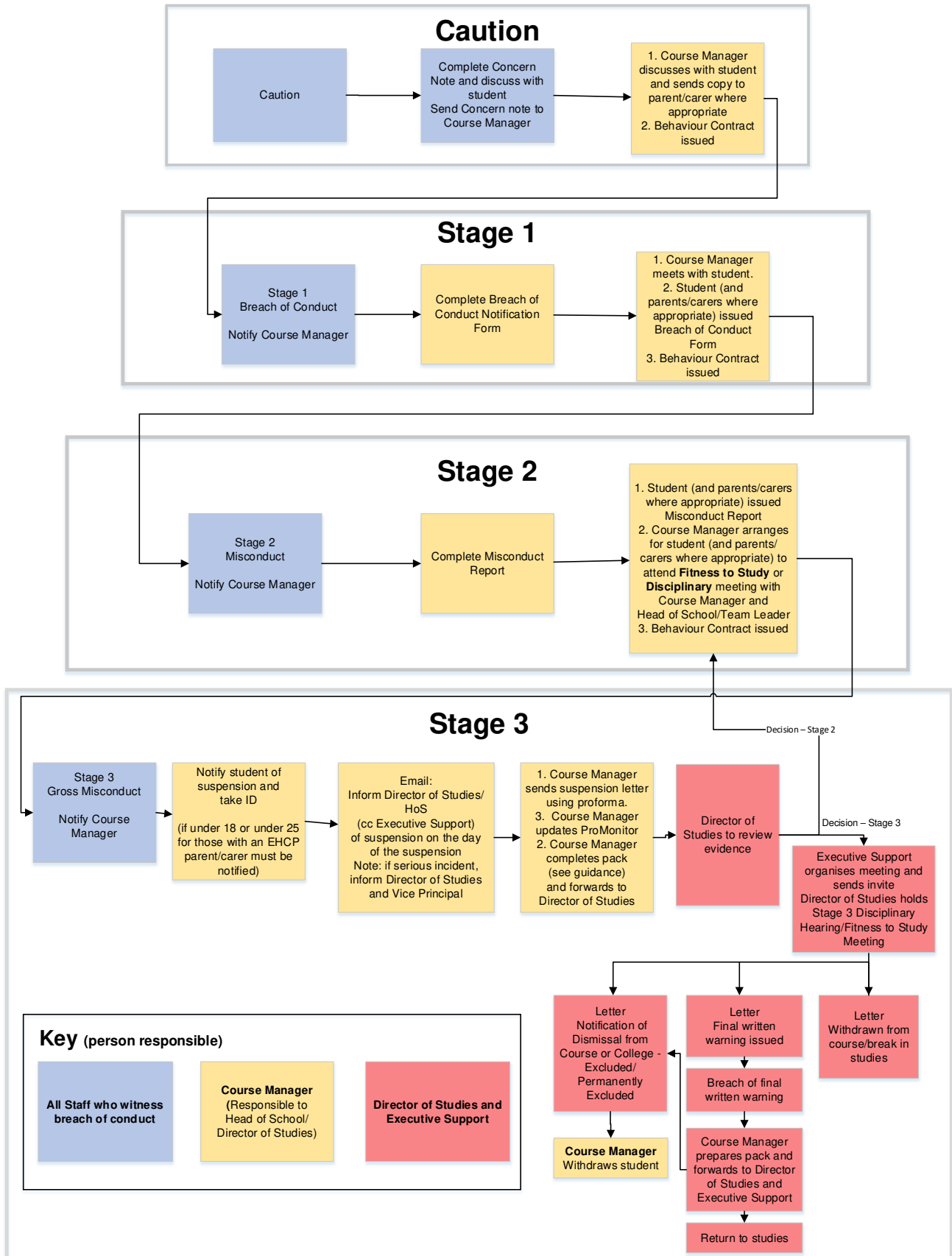
Stage	Action and Responsibility	Result(s)	Outcome(s)	Mitigating Circumstances/ Fitness to Study
<p>3. Gross Misconduct A severe breach of Student Code of Conduct</p>	<ul style="list-style-type: none"> The Course Manager or any member of the College management can immediately suspend a student and remove them from the College grounds Any member of College staff can refer the student's conduct to the Head of School Head of School (or appointed deputy) is responsible for reviewing and issuing a Gross Misconduct 	<ul style="list-style-type: none"> Gross Misconduct issued to student Student may be suspended and removed from College grounds with immediate effect 	<ul style="list-style-type: none"> Immediate suspension whilst investigation and/or review is conducted Gross Misconduct is recorded and filed by the Course Manager on ProMonitor. 	<ul style="list-style-type: none"> Serious or persistent concerns about a student's behaviour, safety or ability to study at college. In most cases this stage will occur after attempts to manage the situation through stages 1 and 2. When a student's ability to study is seriously compromised or where there are serious concerns regarding risk to the health and safety of the student or where there is a threat or risk to others, the student is immediately suspended whilst investigation and/or review is conducted
<p>Will lead to a formal Investigation/ Review</p>	<ul style="list-style-type: none"> The Head of School (or appointed deputy) will conduct an investigation into the circumstances of a severe breach or a review of continued breaches of the Student Code of Conduct and produce a Gross Misconduct Investigation/Review Report that is passed to the Director of Studies. 	<ul style="list-style-type: none"> Head of School or Curriculum Leader presents Gross Misconduct Investigation/Review Report and Student File contains all previous disciplinary paperwork, tutorial records, individual learning plans etc. to the Director of Studies. 	<ul style="list-style-type: none"> The Director of Studies reviews report and either directs the matter to be dealt with at an alternative stage of the disciplinary process, or removes suspension, or requires the student to attend a Formal Disciplinary Hearing by sending an Invitation to Formal Disciplinary Hearing Letter. 	<ul style="list-style-type: none"> Due to the nature of the meeting representatives from all relevant departments and disciplines should be invited to attend. The course manager will prepare the student file of relevant information (Appendix III) and the student may wish to provide medical evidence in support of mitigating circumstances. The Director of Studies reviews file and either directs the matter to be dealt with an alternative stage of the process, or removes suspension, or requires the student to attend a Formal Fitness to Study Hearing by sending an Invitation to Formal Hearing Letter.

Stage	Action and Responsibility	Result(s)	Outcome(s)	Mitigating Circumstances/ Fitness to Study
<p>Formal Disciplinary Hearing</p>	<ul style="list-style-type: none"> The Director of Studies will conduct a Disciplinary Hearing with the student, parents or supporting person(s) and an independent witness/note-taker. 	<ul style="list-style-type: none"> Final Written Warning with restrictions issued to student, Exclusion Letter or Permanent Exclusion Letter issued to student and College place removed. 	<ul style="list-style-type: none"> Student may be Dismissed from course/College and/or Excluded from College and able to reapply to study at a later date or Student may be Dismissed from course/College and/or Permanently Excluded from College or Student may be issued with a Final Written Warning that allows return to course with conditions or restrictions imposed as appropriate If significant further evidence is presented the allegations may not be upheld (student returns to study) or dealt with as a stage 2 (written warning issued). The Formal Disciplinary Hearing is recorded and filed on ProMonitor by Executive Support 	<ul style="list-style-type: none"> Student may be Withdrawn from course/College or Student may be issued with a Final Written Warning that allows return to course with conditions or restrictions imposed as appropriate or Student may take a Break in Studies with agreed parameters regarding their return If significant further evidence is presented the allegations may not be upheld (student returns to study)

Appendix IV – Student Disciplinary Process

Capel Manor College

Student Disciplinary Process 2024/25



Appendix V – Gross Misconduct Hearing Checklist

If your student is suspected of Gross Misconduct, they will be asked to attend a Formal Disciplinary Hearing chaired by the Vice Principal. This is a serious meeting upon which the student's future studies at the College might depend. It is essential that you properly prepare for this meeting and forward the right information to the Vice Principal in good time before the date of the hearing. The information you prepare and forward must be a summary of the key and pertinent events and background that will support the student and enable the Vice Principal to reach the right outcome. The Head of School should agree with the level of disciplinary and sign off the paperwork before it is forwarded to the Vice Principal. Below is a checklist of the information that you should prepare.

- **Gross Misconduct Report – a succinct summary of the main events and the actual alleged breach(es) of the Code of Conduct**
- The student record from ProMonitor showing enrolments and recorded data about declared learning needs and disabilities
- A copy of the Student Handbook declaration from MyPortal
- Additional information (if appropriate) about learning needs/disabilities/EHCP from Student Support
- Additional information (if appropriate) about external support arrangements
- A summary (or copy) of all relevant tutorial records
- An up to date attendance report
- A transcript of current academic progress
- Copies of all prior disciplinary records from ProMonitor (Concern Notes, Behaviour Contract(s), Level 1, Level 2 paperwork) (if appropriate)
- Copies of relevant correspondence with the parent(s)/guardians(s) (if appropriate)
- Copies of relevant correspondence between you (the College) and the student relating to the case/incident(s) (if appropriate)
- Copies of relevant correspondence between students (particularly significant in bullying/cyberbullying cases) (if appropriate)
- Statement from the student regarding the case/incident(s)
- Witness statements (if appropriate)



Appendix VI – Student Formal Disciplinary Hearing Agenda

Introductions to be made

Has the student received the letter and details of the allegation (Gross Misconduct Action)?

Does the student understand why they are at the meeting?

Has the student seen the Student Code of Conduct and Student Disciplinary policy?

Formal Disciplinary Hearing:

- Nature of Allegation

Possible outcomes if allegations are upheld:

- As it's a very serious issues, two possible outcomes:
 - Dismissal from College and/or Permanent Exclusion
 - Final Written Warning

Format:

- No decision will be made today
 - This is a chance to hear from the student
 - Purpose is to review circumstances/evidence and responses to support decision
1. Course Manager to outline the incident to the Chair
 2. Response from student
 3. Other factors/mitigating circumstances
 4. Chance for others to comment or add anything
 5. Summary/what next
- Letter of decision by ...?
 - **Right to appeal in writing to the Principal within 5 working days.**
 - Principal will hear the appeal within 10 days after receipt of the request.