



Learner Disciplinary Policy & Procedures

1.0 Purpose

This Policy and Procedures guide learner behaviour to ensure the best learning opportunities for all, through adherence to the Learner Code of Conduct.

2.0 Policy Statement

Youth Works Northamptonshire and its subsidiaries will take disciplinary action against any learner on the grounds of unacceptable behaviour. This includes any action that is illegal, threatens the security or health and safety of others, or detracts from learning and the learning environment.

3.0 Scope

The Learner Disciplinary Policy and Procedures (The policy) apply to all enrolled learners with Youth Works Northamptonshire and its subsidiaries.

4.0 Responsibilities

The Head Teacher is the final arbiter in the interpretation of this policy and is responsible for the implementation and development of this policy.

All members of staff and learners are responsible for the effective operation of this policy.

Any member of staff can instigate disciplinary action.

All learners are responsible for adhering to the Code of Conduct.

5.0 Breaches of the Learner Code of Conduct (Appendix 1)

5.1 All members of Youth Works' staff can formally report a learner for a breach of the Code of Conduct.

5.2 The first report (Appendix 2), counts as a level one warning of this policy, following which a disciplinary letter (Appendix 3), will be sent to the learner by the Head Teacher. The Schools Administration Assistant will log the dispatch of the letter in the learner's file.

5.3 A second report may count as a level two warning; following which a second disciplinary letter will be issued by the Head Teacher, (Appendix 4) to the learner, advising them that they are now subject to disciplinary action.

The Administration Assistant will log the dispatch of the letter in the learner's file together with the date of the disciplinary interview.

5.4 Following the disciplinary interview, a letter of warning at the appropriate level may be issued to the learner (Appendices 5 and 6).

5.5 Any subsequent reports will be recorded in the learner's file and Section 6 of this policy will come into effect.

5.6 Learners have the right to discuss the reasons regarding the issue reported with their course tutor.

5.7 Learners have the right to appeal against any College decision under the Learner Appeals Policy and Procedures.

5.8 The Head Teacher reserves the right to escalate the College's response where it is deemed appropriate.

6.0 Serious and/or Repeated Breaches of Discipline

Following an alleged serious or repeated breach of the Code of Conduct or College policies, any of the following procedures may be followed as appropriate.

6.1 All members of College staff have the right to informally suspend a learner for a 24 hour period pending a disciplinary interview with the Head Teacher. The learner will be escorted from the premises.

6.2 A disciplinary interview with the learner may be held by the tutor.

6.3 If the disciplinary interview enables the Head Teacher to decide on the disciplinary approach then the learner will be informed of the outcome by letter (Appendix 5 or 6).

6.4 The Head Teacher may formally suspend a learner at the time of a breach until such time as the learner is invited to return to the College. In this event the learner will be escorted from the premises.

6.5 A learner may be suspended by the Head Teacher pending the outcome of an investigation into alleged misconduct or pending a disciplinary hearing (Appendix 7).

6.6 Where a learner is suspended the College Administrator will record the time of the suspension as authorised absence until the investigation and/or disciplinary hearing is complete. However, it is expected that a suspension from the College would last a maximum of two weeks.

6.7 The learner will be notified by letter (Appendix 8) if a disciplinary hearing is to be convened and will be directed to the appropriate third party for advice.

6.8 Prior to the disciplinary hearing the learner will receive a report on the investigation along with the notification of a disciplinary hearing.

6.9 The learner may choose to be accompanied and supported by a representative or friend at a disciplinary hearing. However, all dialogue or correspondence prior to the hearing will be carried out directly with the learner.

6.10. If the offence is substantiated then one of the following disciplinary actions will result: Level One - A Disciplinary Report Form and copy of the letter will be placed in the file (Appendices 3, 4 and 5).

Level Two Formal Final Written Warning (Appendix 6) issued after a significant serious or repeated breach of discipline has occurred.

Level Three Formal Written Dismissal (Appendix 9) - when an extremely serious breach of discipline has occurred, or there is a history of serious indiscipline, the learner can be dismissed from the College.

6.11 In the case of serious breaches of the Code of Conduct (section 7.0) the College reserves the right to summarily dismiss a learner from the College.

6.12 The College reserves the right to refuse progression or re-admission to a learner in receipt of a formal final warning.

6.13 A learner dismissed from the College will not be considered for re-admission for three academic sessions following the session in which the dismissal occurred.

6.14 A learner who is summarily dismissed will only be re-admitted by specific permission of Youth Works Northamptonshire's Board of Directors.

6.15 Breaches of the following policies and procedures will invoke the Learner Disciplinary Policy and Procedures:

6.15.1 Learner Code of Conduct

6.15.2 Computing Code of Conduct

6.15.3 Deceit as defined in the Assessment Policy

6.15.4 Health and Safety Policy

6.15.5 Equality and Diversity Policy

7.0 Guidance on Interpretation of Significant and Serious Offences

7.1 It is expected that staff will use a range of coping strategies to encourage and explain acceptable standards of behaviour to learners. Explanations should emphasise the importance of the Code of Conduct and strategies could usefully involve conversation with the learner's Tutors.

7.2 The level of disciplinary action taken will reflect the circumstances and severity of the offence, together with any history of indiscipline.

7.3 There is a range of disciplinary offences that can be graded from significant, through serious to extremely serious. However, the disciplinary action taken will consider all relevant factors.

7.4 Significant offences would include disruptive or discourteous behaviour likely to cause offence, hinder learning or diminish the learning environment.

7.5 Significant offences also cover attendance below the 90% level and higher than 80%.

7.6 Serious offences cover attendance that falls below 79% which is the point when automatic dismissal is considered.

7.7 Serious offences would also include disobedience in sessions, behaviour which obstructs the learning of others, persistent lateness, lack of application to studies, breaches of Health & Safety regulations, behaviour considered to be inappropriate in a classroom environment.

7.8 Extremely serious offences would include illegal, dangerous, threatening, discriminatory or deceitful behaviour. Examples would include bullying, harassing, violent or discriminatory behaviour, misuse of drink, vandalism, theft, dishonesty, disregard of instructions from staff, and behaviour that endangers others. This list is indicative and not exhaustive.

7.9 The College has a zero tolerance of abusive language or threatening behaviour to members of staff which is considered an extremely serious offence. Such behaviour may lead to suspension and disciplinary action and may lead to summary dismissal.

7.10 The use or sale of illegal drugs on College property or its immediate environment is a summary dismissal offence.

7.11 The Head Teacher will monitor consistency in interpretation of the severity of offences through scrutiny of communications and disciplinary reports as necessary.

7.12 The Head Teacher is available to provide staff with general advice on interpretation and strategy.

8.0 Learner Support

8.1 Guidance can be sought from Youth Works Northamptonshire's Counselling Service, the local authority's Education Inclusion Partnership Team and the Citizens Advice Bureau.

8.2 A wide range of support services including personal support, advice, mediation and learning support is available to all learners to assist them to modify their behaviour.

9.0 Right of Appeal

9.1 A learner has the right of appeal against disciplinary decisions under this Policy and Procedure; copies of the Learner Appeals Policy are available at the College and will be issued with the relevant disciplinary outcome letters.

9.2 Appeals against level one disciplinary action will be heard only in exceptional cases.

9.3 It should be noted that any appeal must be made by the learner themselves.

10.0 Documentation

10.1 The Learner Code of Conduct will be made available to all learners on enrolment.

10.2 Disciplinary documents relating to learners who are dismissed will be kept for three academic sessions following the session in which the dismissal occurred. These files will be retained in the College's Administration Office.

10.3 Disciplinary files of learner who are disciplined at levels one and two will be destroyed following confirmation that the learner has completed their studies and left the College.

10.4 Standard College documentation has been prepared as templates for consistent communication and action and appear as Appendices to this policy.

11.0 Evaluation and Review

The Learner Disciplinary Policy and Procedure will be subject to annual review by the Board of Trustees.

Ratified by the Board of Trustees: 6 September 2019

Review due: 5 September 2020

Appendix 1

Learner Code of Conduct

1.0 Before you start your course you should:

- Make sure that you have obtained sufficient information and advice about the level and content of your chosen course.
- Make sure that you can commit the necessary effort to ensure your best chance of success.
- Supply the College with complete and accurate information to enable you to enrol.

2.0 What we expect of you:

- We expect that you show respect for the opportunity given to you.
- We expect 100% attendance and manage attendance just like work.
- We expect you to display workplace standards of behaviour and self-discipline.
- We expect no more of our learners than we do of ourselves as employees of the College.

3.0 As a learner you should:

- Attend 100% of your course in the same way you would attend your workplace.
- Take time to read the Learner Handbook.
- Treat all staff and other learners with courtesy and respect.
- Be aware that absenteeism, authorised or unauthorised will seriously affect your ability to achieve your qualification and remain on your course.
- Make sure that you attend on time and keep staff fully informed if you are absent.
- Not smoke on the College's premises or near the entrance.
- Not use personal music players, social websites and chat rooms whilst under instruction.
- Switch mobile phones to silent during sessions.
- Avoid language or actions that may cause offence, such as swearing and behaving disruptively or in a discriminatory manner.
- Make sure that you are not involved in any actions constituting major disciplinary offences such as theft, violence, malicious damage, deception, intimidation or misuse of drink.
- Not use or sell illegal drugs on College premises or its immediate environment. This is a dismissal offence.
- Actively participate in learning groups and in all learning opportunities in order that you get the greatest advantage out of your time on your course.
- Put in as much extra effort as is required for you to make good progress.
- Keep track of your own progress and if you have concerns or difficulties contact your Tutor as soon as possible.
- Pay particular attention to assessment instructions. It is critically important in educational institutions that you are assessed entirely on your own work. Any use of the work of others is a very serious breach of discipline.
- Adhere to the College's Computing Code of Conduct.
- Keep the College informed of changes to personal details for example, change of address, change of surname etc.
- Don't let problems and issues get you down, contact your Tutor, however all staff are there to help and have a wide experience of learners in similar circumstances to you.

Appendix 3

First letter from Head Teacher

Dear

Breach of Learner Code of Conduct

You have been reported for breaching the Learner Code of Conduct. This letter constitutes a Level One Warning under the College's Learner Disciplinary Policy and the incident will be recorded in the disciplinary file.

Should you be reported on a second occasion the College will require you to attend an interview, to discuss your behaviour and to inform you of the disciplinary action to be taken.

I have enclosed a copy of the Learner Code of Conduct for your reference. Should you have any queries, please contact your tutor or myself.

Yours sincerely

Head Teacher

Appendix 4

Second Letter by Head Teacher

Dear

Repeated Breach of Learner Code of Conduct

Unfortunately, my previous letter to you regarding your behaviour has not resulted in the necessary improvement.

Your actions are putting your continuation of your place with Youth Works Community College in jeopardy and threaten your opportunity to gain qualifications and skills. As a result of this, I have asked for a disciplinary interview with me to be arranged, as described in the Learner Disciplinary Policy and Procedures.

Yours sincerely

Head Teacher

Appendix 5

Confirmation of Level Two Disciplinary Action

Dear

Breach of College Discipline - Formal Written Warning

This is to confirm the findings of the disciplinary hearing / disciplinary interview (insert as appropriate) held on (insert date).

It was decided that you are responsible for the following serious (or repeated) breach of discipline:

(State in detail the nature of the breach of discipline).

If you wish to appeal against this decision you should do so within five working days of receipt of this letter. A copy of the College's Learner Appeals policy is enclosed.

You should state clearly the grounds upon which you wish to appeal. Advice is available from (insert appropriate third party).

Yours sincerely

Head Teacher

Appendix 6

Confirmation of Level Two Disciplinary Action

Dear

Breach of College Discipline - Formal Final Written Warning

This is to confirm the findings of the disciplinary hearing / disciplinary interview (insert as appropriate) held on (insert date).

The panel has decided that you are responsible for the following serious (or repeated) breach of discipline:

(State in detail the nature of the breach of discipline).

The College reserves the right to refuse progression or re-admission to a learner in receipt of a formal final written warning. In the event of such a learner attending, the formal final written warning will remain in force for the next session.

If you wish to appeal against this decision you should do so within five working days of receipt of this letter. A copy of the College's Learner Appeals policy is enclosed.

You should state clearly the grounds upon which you wish to appeal. Advice is available from (insert appropriate third party).

Yours sincerely

Appendix 7

Dear

Suspension from Youth Works Northamptonshire College

This is to confirm your suspension from the College with effect from (*insert date*).

(*State clearly the reason for the suspension*).

This suspension will remain in place until (*insert date*) or further notice pending the outcome of an investigation into the alleged breach of College discipline.

You should not attend the College or participate in any College activities whilst this suspension is in place.

Yours sincerely

Appendix 8

Dear

Notification of Disciplinary Hearing

Further to an investigation into alleged indiscipline, you are required to attend a disciplinary hearing. (give time, date and location of the hearing)

The investigation has revealed evidence of the following offence. (give summary of findings of investigation)

A report of the investigation is attached to this letter.

You are entitled to be accompanied at the hearing by a friend or representative and should you have any questions or require advice about the procedures you should contact the College Administrator (insert contact details).

Please confirm your attendance by letter or by telephoning (give name, location and telephone number of contact).

Yours sincerely

Appendix 9

Confirmation of Level Three Disciplinary Action

Dear

Breach of College Discipline - Formal Written Dismissal from Youth Works Northamptonshire College

This is to confirm the findings of the disciplinary hearing held on (insert date) that you are permanently excluded from Youth Works Northamptonshire College with effect from (*insert date*).

The panel has decided that you are responsible for the following extremely serious (or repeated serious) offences.

(State in detail the nature of the breach of discipline).

Your permanent exclusion extends to any other property owned, leased or operated by Youth Works Northamptonshire and its subsidiaries.

If you wish to appeal to this decision you should do so within five working days of receipt of this letter. A copy of the College's Learner Appeals policy is enclosed. You should state clearly the grounds upon which you wish to appeal this decision.

Yours sincerely