



CENTRAL SUSSEX COLLEGE

Code of Conduct and Disciplinary Policy for Students

Ref.
Effective

Student 5.7
01/05/12

POLICY STATEMENT

The College expects all students to conduct themselves in a sensible, considerate and well behaved manner whilst at College. Every student must meet their responsibilities as set out in our Code of Conduct below. If we abide by the College rules and policies we will create a positive and safe environment for all to learn and develop.

REASONS FOR THE POLICY

To help provide a well-ordered and safe environment for both staff and students and to ensure that student discipline is applied in a consistent and equitable way.

POLICY OBJECTIVES

- To ensure that all instances of student misconduct are dealt with fairly and consistently.
- To ensure a robust student disciplinary procedure which staff can apply in all instances of alleged student misconduct.
- To ensure that there is an appeals procedure which is consistent with the principles of natural justice.

POLICY

- The College will adopt different procedures according to the level of student misconduct in accordance with the Disciplinary Procedures for Students. (Additionally misconduct by students who have learning difficulties or disabilities should normally be referred to the Director of Faculty for Educational Development for guidance, as adjustments may need to be made to procedures to ensure equality of opportunity.)
- College staff must apply the relevant procedure for any level of misconduct and are required to be consistent in the application of these procedures.
- The College reserves the right to recover the costs of any damage to College property as a result of student misconduct.
- The College will monitor the application of this policy to ensure it is consistently applied.

CODE OF CONDUCT

Students of Central Sussex College are expected to observe the College's Code of Conduct under the headings below :

Attendance and Punctuality - Students will be expected to:

- Attend all lessons and tutorials.
- Be punctual
- Arrange holidays out of term time
- Arrange other appointments out of College time
- Ensure paid work doesn't clash with College

Learning - Students will be expected to:

- Produce all work to the best of their ability
- Participate fully in lessons
- Hand work in on time
- Apply themselves to study in College and at home
- Submit only work that is genuinely their own
- Come appropriately prepared, equipped and dressed for classes
- Co-operate with all staff and fellow students
- Never cheat in exams

Behaviour - Students will be expected to:

- Carry their student ID at all times in College
- Use acceptable, inoffensive language
- Use only the designated areas for smoking (over 16 years of age)
- Follow College guidelines on computer usage
- Refrain from all aggressive or violent behaviour
- Never carry an offensive weapon
- Turn off mobile phones and MP3 players in classes, Libraries or Learning Centres
- Not consume food or drink (other than water) in lessons

Consideration for Others - Students will be expected to:

- Treat ALL staff and students with respect
- Not disrupt the learning of others
- Help maintain a civilised, clean and orderly College
- Look after the College facilities and not drop litter
- Be considerate of College neighbours and the public
- Comply with the Equality, Diversity and Human Rights Policy

Contribution to Society - Students will be expected to:

- Contribute positively to the wider community, outside College
- Represent the College positively during activities off campus
- Never bring the College into disrepute
- Comply with Health and Safety and security rules
- Follow the College Drugs and Alcohol Misuse Policy for Students
- Comply with the College Parking Policy

RELATED POLICIES AND DOCUMENTS

Computer Usage Policy for Students
Drugs and Alcohol Misuse Policy for Students
Equality, Diversity and Human Rights Policy
Harassment and Bullying Policy for Learners
Health and Safety: Arrangement of Health and Safety Management Policy
Plagiarism and Academic Misconduct Policy
Students' Attendance, Punctuality and Registration Policy
BTEC Assessments Submission – College Guidelines.

PROCEDURES

Procedures for the implementation of this policy are attached.

CONTACTS

Deputy Principal: Students, Curriculum and Quality
Vice Principal Sixth Form Haywards Heath
Director of Student Support

WHO SHOULD KNOW ABOUT THIS POLICY

All students and all staff

RESPONSIBILITY

The Deputy Principal: Students, Curriculum and Quality is responsible for ensuring that staff adopt and follow the appropriate disciplinary procedure when dealing with student misconduct.

HISTORY

This policy was reviewed and revised in October 2005 and June 2008.
This policy was reviewed and revised with minor amendment in June 2009, July 2010 and August 2011.
This policy was reviewed and revised with minor amendment in April 2012.

Signed _____ Date _____
Dr R Strutt
Principal

Disciplinary Procedures for Students

INTRODUCTION

The Code of Conduct for Students sets clear expectations for:

- attendance and punctuality
- learning
- behaviour
- consideration for others
- contribution to society

Most situations where students fail to meet these expectations can be dealt with in an informal way by staff and there is a range of actions open to them.

Minor Misconduct

When an informal reprimand given to a student by a member of staff is either ignored or is ineffective, the member of staff should complete a 'Cause for Concern' form and send it to the student's tutor or a member of the Pastoral Team who will see the student and will record the action taken on the 'Cause for Concern' form.

A copy will be returned to the person who reported the concern and a copy will be retained in the student's file within the faculty /campus. (For learners studying at Crawley and Associated Campuses a copy will also be held by the relevant Pastoral Support Tutor (PST) or Welfare Adviser.)

Records will be kept for the duration of one academic year.

Note: Parents / carers should normally be informed where the student is under 18 years of age.

If Minor Misconduct is repeated or the level of misconduct is determined to be more serious then the Disciplinary Procedures shown below should be followed.

DISCIPLINARY PROCEDURES SUMMARY TABLE

Level of Misconduct	Who does what?	Stages
Serious Misconduct	CAL/CTL CTL/ VP (Haywards Heath)	Leads investigation and could result in either: <ul style="list-style-type: none"> • A Recorded Verbal Warning or <ul style="list-style-type: none"> • A Written Warning. A Formal Interview will take place (possibly with others present, eg note-takers, advocates / parents). In cases of repeated misconduct a Final Written Warning may be issued.
Gross Misconduct	Director of Faculty/VP(HH) Director of Faculty/CAL Disciplinary Panel: 1. Senior Postholder -not Principal 2. Director of Faculty/CAL 3. Director of Student Support	Student will be suspended (on the authority of the Principal or delegated Senior Postholder). Ensures that evidence is gathered. Considers the evidence and makes judgement. Possible outcomes: <ul style="list-style-type: none"> • No action (in the case of no evidence of wrongdoing). • Student requests to withdraw (not always permitted and will not be able to re-enrol without authorisation). • Final Written Warning. • Permanent Exclusion.
Gross Misconduct Appeals	Principal	Appeals Procedure followed.

DISCIPLINARY PROCEDURES

It is not intended that these procedures should be used for influencing routine misbehaviour issues (**see 'Minor Misconduct' above**). Staff should use their discretion and professional judgement in deciding when to instigate the formal process.

1. SERIOUS MISCONDUCT (see definitions in 3. below)

- 1.1 When a student has been judged by a member of staff to be possibly guilty of serious misconduct, this will be reported to the student's Curriculum Area Leader/Curriculum Team Leader (CAL/CTL) and they will then investigate. This will be done normally within 5 working days.
- 1.2 The CAL/CTL will take evidence from all relevant parties (from those who may have witnessed the incident; or been involved as well as evidence from the person against whom the allegation has been made).
- 1.3 The CAL /CTL (or his/her nominee) will hold a formal investigative interview with the student in the presence of a Pastoral Support Tutor or Welfare Adviser / Personal Tutor or teacher who will act as an impartial observer, and note-taker. (The note-taker will record details of the interview. One copy will be given to the student and another will be placed on the student's file.) Parents / carers will be informed where the student is under 18 years of age.
- 1.4 If the CAL /CTL judges that behavioural misconduct has been established the following action may be taken depending upon the seriousness of the offence:
 - A recorded verbal warning
 - A written warning (at Haywards Heath this can only be issued by the VP)
- 1.5 Letters will be issued to the student by Student Support (this could be a FINAL warning if it is felt a suspension is not required, e.g. Attendance and Punctuality and/or Failure to submit course work). Any subsequent misconduct will be treated as gross misconduct.
- 1.6 Where the offence is judged to be one worthy of suspension or permanent exclusion a disciplinary panel will be established to make a judgement, as detailed under Gross Misconduct.

Additional Notes:

- *If the student is under 18 years of age, the student's parents/carers will be informed in writing. In the case of sponsored students the sponsors (or Employer Services when appropriate) will be informed by Student Support.*
- *If the student is under 16 and on a Link programme through their school, the student's school will be contacted by the Director of Student Support or the 14-19 Partnership Coordinator, both of whom should be involved in deciding upon appropriate action in liaison with the student's school.*
- *Preparation of letters will be managed centrally by Student Support under the direction of the relevant curriculum Director of Faculty. The student will be asked to sign and return a copy of the letter to Student Support.*
- *After one calendar year, if no further disciplinary action is required, records of Serious Misconduct will be removed from the student's file and destroyed. In exceptional circumstances this period may be extended.*
- *On some occasions a student may be sent home for a fixed period as a punishment for their behaviour, this must be agreed by the Director of Faculty and the Director of Student Support.*

2. GROSS MISCONDUCT (see definitions in 3. below)

When a student has been judged by a member of staff to be possibly guilty of gross misconduct, the incident will be reported to the student's CAL/CTL (or his/her nominee). The following actions will then take place:

- 2.1 The Director of Faculty/Vice Principal can suspend a student with the consent of a senior postholder or, in their absence, the Director of Student Support.
- 2.2 A letter formally notifying the student of his/her suspension will be sent by Student Support and a copy will be sent to parents/carers (if under 18) and/or employers and/or sponsors if the student is employed and/or sponsored. (If the student is on a work-based learning course through Employer Services, Employer Services will be sent the copy of the letter for the employer.) The Security team should be advised of the suspension (even if the student is not Crawley based). The student's Director of Faculty/Vice Principal (or his/her nominee) should advise the student that the act of suspension is a neutral act and does not imply guilt on the student's part.
- 2.3 The Director of Faculty/Vice Principal will organise an investigation into the allegations. Staff in Student Support are available to support this process if required.
- 2.4 The student's Director of Faculty/Vice Principal must arrange a date for the disciplinary hearing in liaison with the Director of Student Support at the earliest opportunity. Hearing dates will be made available on a weekly basis during term times. Special arrangements may need to be made outside of normal College terms. This process should normally take no longer than 10 working days, though may take longer under some circumstances.
- 2.5 The disciplinary hearing will be conducted by a panel made up of 3 members of College staff:
 - A Senior Postholder nominated by the Principal who will chair the panel.
 - The student's CAL/Director of Faculty (or his/her nominee).
 - The Director of Student Support (or his/her nominee).(Formal notes of the hearing will be taken by a nominated member of Student Support who will not form part of the panel.)
- 2.6 At the earliest opportunity a member of Student Support shall notify the student and, if applicable, parents/carers, employers and/or sponsors of the date of the hearing. (If the student is on a work based learning course through Employer Services, Employer Services will be sent the copy of the letter for the employer.) Normally this information can be communicated at the same time as the written notice of suspension. The letter will also advise the student that he/she has the right to be accompanied by a fellow student and/or member of staff and/or family member.
- 2.7 Prior to the hearing, the student's CAL/Director of Faculty should obtain any relevant witness statements (in written form) and supporting materials. Additionally, any witnesses may be invited to attend the hearing, if this is useful and applicable. The Director of Student Support will be responsible for ensuring that this evidence is appropriate and also for distributing it to the other panel members at least by the end of the previous working day before the hearing.
- 2.8 Procedures for the hearing are attached (Appendix 1). The Director of Student Support will take the responsibility for collating all relevant information and notes and further information raised during the hearing.
- 2.9 If the student fails to attend the disciplinary hearing the College will normally give one further chance for the student to attend a hearing.
- 2.10 If gross misconduct is proven, the panel may either:
 - **recommend the student for exclusion**
 - or**
 - **issue a final written warning with conditions (a student may withdraw at this point).**
- 2.11 Following the decision of the Panel the Chair, via the Director of Student Support, will notify the student and, if applicable, parents/carers, employers and/or sponsors, normally in writing, of the outcome. (If the student is on a work-based learning course through Employer Services, Employer Services will be sent the copy of the letter for the employer.)

Additional Notes:

- *If the allegation involves threatening or dangerous behaviour towards a member of staff the relevant Director of Faculty (or his/her nominee) must inform the Executive Director of Human Resources and Communications.*
- *If the allegation involves a criminal matter the Director of Student Support (or his/her nominee) should contact the Police immediately.*
- *If criminal proceedings are taking place against a student in connection with the alleged gross misconduct the decision of the panel shall be suspended until the results of the case are known.*
- *If any student under investigation wishes to make a complaint about any person bringing allegations against them they should raise that complaint during the period of investigation prior to the hearing. Complaints raised at the hearing shall be considered untimely and shall not be considered by the Panel.*
- *Suspension means that the student is not permitted anywhere on College premises. Contravening this may mean automatic exclusion.*
- *The Director of Student Support will hold records of disciplinary matters in confidence; relevant parties will be advised of the result (i.e. Faculty, PST, Tutor and Security). Records of Final Warnings will be removed from the file after three years if there is no further disciplinary action. In exceptional circumstances this period may be extended at the discretion of the Deputy Principal: Students, Curriculum and Quality.*
- *Exclusion notices will be held on the student's file unless and until they are lifted.*
- *The rescinding of a student's exclusion from the College can only be made by the Principal or by a Senior Postholder nominated by the Principal. Please see the Re-admittance of Previously Excluded Students Procedure (attached).*
- *The Admissions/Enrolments system will be updated to ensure an excluded student cannot enrol on another course.*

3. DEFINITIONS

- **Student:** All enrolled students at the College, including 14-16 year old students. (N.B. If a student is on a Link programme through their school, the Director of Student Support or the 14-19 Partnership Coordinator should be contacted in cases of misconduct. Whilst in College these students will be expected to follow the College Code of Conduct and Disciplinary Policy for Students, however will also be subject to their school's Discipline Policy.)
- **Minor Misconduct:**
Many of the items listed below may be dealt with informally by a member of staff. It is only when the student fails to respond to an informal reprimand that some of these examples would be considered as minor misconduct.

Examples: (N.B. These examples are not exhaustive and may be considered as Serious Misconduct if any are done wilfully or repeatedly.)

- Lateness for class.
- Unexplained absence from class.
- Failure to carry out work in class.
- Failure to submit assignments by agreed course deadline with no acceptable reason.
- Dropping litter.
- Consuming food and drink in non-designated areas.
- Smoking on College premises outside designated areas.
- Use of offensive or inappropriate language.
- Inappropriate use of mobile technology (e.g. playing music, or using a mobile phone in class).
- Spitting.
- Wearing inappropriate headgear in class.
- Being unprepared for learning (e.g. no pen, paper or other relevant equipment).
- Inappropriate use of ILT (e.g. reading or downloading material not relevant to learning aims).

- Loud or disruptive behaviour (including playing music loudly in public areas).
 - Abusing College facilities e.g. putting feet on chairs or tables, knocking these over.
 - Spurious, malicious or unreasonable complaints.
 - Failure to wear appropriate protective clothing or equipment or carry College ID.
 - Physical 'rough and tumble' which may constitute a threat to the individual's and others' health and safety.
 - Any other minor misdemeanour which may be reasonably construed as minor misconduct.
- Serious misconduct: Examples: (Again, these examples are not exhaustive.)
 - Repeated careless or wilful (on at least two occasions) minor misconduct.
- Gross misconduct: Examples: (Again, these examples are not exhaustive.)
 - Refusal to respond to a reasonable request from a member of staff.
 - Failure to improve attendance and/or behaviour under a serious misconduct final warning.
 - Physical violence towards staff or course colleagues.
 - Theft or attempted theft of College property, or the property of anyone in College.
 - Possession or being under the influence of alcohol and/or drugs.
 - Distribution, sale or use of drugs.
 - Distribution, consumption or sale of alcohol.
 - Sexual harassment (which the recipient finds offensive and threatening) or bullying.
 - Abuse, harassment or victimisation of any sort related to a person's sexual orientation, disability, race, age, religion or belief, gender reassignment, pregnancy or maternity, or marital or civil partnership status.
 - Deliberate vandalism or serious damage to the College environment and facilities or abusing facilities so that damage is caused.
 - Criminal behaviour on or off the College premises.
 - Bringing the College into disrepute, including through the use of electronic media.
 - Proven plagiarism or cheating in exams or other proven academic misconduct.
 - Deliberate actions which are a serious threat to your own or others' health and safety.
 - Any other gross misdemeanour which may be reasonably construed as gross misconduct.

APPENDIX 1 . STUDENT DISCIPLINARY PANEL PROCEDURE

In order to provide an accused student and, if applicable, aggrieved parties, the right to natural justice every opportunity should be given for them to present their cases fully and have an impartial hearing. The following procedure should be followed in all cases:

The Chair of the Panel should read the charges of alleged misconduct to the student and explain the possible outcomes. At this stage the Chair of the Panel should also explain the appeals procedure.



The Chair of the Panel should invite the student to make an introductory personal statement to the hearing.



Witnesses (if any) may be called to make statements and these may be questioned first by members of the Panel and then by the student and his/her representative.



Any written statements by witnesses not present should be read aloud to the student by the Chair of the Panel.



The student may then be questioned by members of the Panel.



The Chair of the Panel should ask the student to retire, advising the student that he/she will be notified of the outcome in writing.



The Panel will then deliberate and reach a decision in accordance with the Disciplinary Procedure document. If this decision is to exclude the student, the Chair of the Panel will communicate the Panel's decision to all relevant parties including any staff involved.



The Director of Student Support will collate the information gathered before and during the hearing and a letter will be sent from the Chair of the panel to inform the student of the decision. On some occasions the Director of Student Support will also notify the student by telephone. In this case it is expected that the Faculty Director(s) involved will inform all relevant staff.

Written notes will be taken by an independent member of the College staff and these notes will be signed by the Panel at the end of the hearing to confirm they are an accurate record.

APPENDIX 2. STUDENT DISCIPLINARY APPEALS PROCEDURE

Students who have been excluded will be given the opportunity to appeal. All appeals must be made to the Principal within 5 working days of the date of exclusion. Once an appeal against the decision of a disciplinary panel has been received by the Principal in writing from a student, the Principal will consider all the evidence, including notes taken at the disciplinary panel, and will decide either:

- To uphold the decision of the disciplinary panel.

Or if there are sufficient grounds

- To set up an appeal hearing.

An appeal hearing can only be established by the Principal (or a member of the College Leadership Team who is a Senior Postholder, if so delegated). The Principal should normally appoint 2 members of the College Leadership Team to assist on the Appeal Panel, which he/she will chair, to be held within 5 working days.

PROCEDURES FOR APPEAL HEARINGS

1. The Principal will contact the student to notify them of the arrangements for the appeal hearing. The letter should also advise the student that he/she has the right to be accompanied by a fellow student/and/or member of staff and/or family member.
2. The existing case against the student will be summarised by the Chair of the original gross misconduct hearing.
3. The student or his/her representative will verbally present grounds for appeal and submit any new evidence to the panel, if appropriate.
4. The student's Pastoral Support Tutor, CAL or Director of Faculty may then be invited to make a statement, if appropriate.
5. The student may then be questioned by members of the panel.
6. The student will then be asked to leave the room.
7. The panel will deliberate and will reach a decision.
8. The Principal will inform the student about the appeal decision in writing as soon as possible. This decision is the final stage of the College's appeal procedure, which should be made clear to the student.

All relevant parties should be informed of the outcome of the appeal hearing.

APPENDIX 3. RE-ADMITTANCE OF PREVIOUSLY EXCLUDED STUDENTS PROCEDURE

There is a possibility that on certain grounds previously excluded students will be considered for re-admittance to the College. We will consider each case individually but only after a minimum exclusion period of no less than twelve months. For an application to succeed there must be evidence of a change in behaviour and attitude, for example by showing that the applicant has:

- Taken up continuous full time employment for a minimum of 6 months.
- Successfully followed a one year programme of training or education at a Further Education Institution or other recognised training organisation.

If a previously excluded student decides to reapply, the College will consider employment, or training references, and re-admittance will depend on a successful interview with the Deputy Principal: Students, Curriculum and Quality acting on behalf of the Principal.

PROCEDURES FOR RE-ADMITTANCE

1. Applicants should apply to the Director of Student Support on a standard College application form, together with a letter outlining the reasons why they believe they should be permitted to return to College.
2. If they meet the above criteria a meeting will be arranged with the Deputy Principal: Students, Curriculum and Quality to discuss their re-admittance. They will only be seen if they have their references ready for this meeting. This will be arranged by Student Support and will normally be held within 10 working days.
3. The applicant will be asked to leave the College following their meeting and reminded they remain excluded until the outcome is determined.
4. The Deputy Principal: Students, Curriculum and Quality will then write to the applicant with the decision.
5. If the applicant is successful at this stage their re-admittance will depend on the normal admissions criteria for the course, including an interview to establish the suitability of the course. Normally there will be consultation with the Director/Vice Principal of the curriculum faculty/campus from which the student was previously excluded and relevant information passed to the readmitted student's new Faculty Director/Vice Principal (HH).
6. If the applicant is successful at this stage they will be seen by the Director of Student Support in order to complete the enrolment procedure and to have the conditions of their return explained to them.
7. The student will be on probation for one year from their admission date and their conduct and progress will be monitored by Student Support through the Cause for Concern system. Any further misconduct will lead to immediate and permanent exclusion from the College with no right of appeal.
8. The Director of Student Support will hold all records of disciplinary matters in confidence; relevant teaching staff will be informed by the Director of Faculty and relevant support staff will be informed by the Director of Student Support. When relevant the Admissions/Enrolment system will also be updated to ensure an excluded student cannot enrol on another course.

HISTORY

These procedures were approved in April 2003.

The procedures were reviewed and revised in December 2003, October 2005, February 2006, April 2007, June 2008, June 2009

These procedures were reviewed and revised in July 2010 and July 2011 to reflect reorganisation changes.

These procedures were reviewed and revised with minor amendment in April 2012.

Signed Adrian Dodwell Date 16 April 2012
Position Deputy Principal: Students, Curriculum and Quality