

Student Behaviour, Disciplinary and Expectations Policy and Procedures

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SCOPE AND PURPOSE

The Manchester College and UCEN Manchester operates under a policy of positive behaviour management. Rather than responding to poor behaviour we will establish a culture of mutual respect through strategies that recognise and reward good behaviour. The Deal sets out the promotion of the values, standards and regulations that students will experience in the workplace and in employment.

- We have established high expectations when it comes to student behaviour, these expectations are set out clearly within The Deal. All students are supported to meet the expectations set out in The Deal and a positive culture is fostered by all staff.
- This disciplinary code of conduct, therefore, relates to any behaviour that is contrary to the maintenance of good order, discipline or health and safety within or on official College / UCEN Manchester visits or functions. It also sets out the procedure to be followed when a student fails to meet the expectations of behaviour as set out by The College / UCEN Manchester. This policy should be viewed alongside the At-Risk Support Policy, where relevant. A student could have an At-Risk Support/Intervention Plan and be at any of the stages of the disciplinary procedures simultaneously.
- Breach of the code of conduct may lead to disciplinary action being taken against a student and repeated breaches, or a single, very serious breach may result in a student being suspended or excluded from The Manchester College or UCEN Manchester. Other sanctions may be employed, such as a change of campus, course or the requirement to pay for damage to property caused by the student.
- The College / UCEN Manchester have a zero-tolerance policy in relation to acts of bullying, harassment or discrimination of any kind. Similarly, operates a zero-tolerance policy in relation to weapons, illegal drugs and alcohol and excessive acts of violence. Any student found to have engaged in any activity falling within these categories will be deemed to have committed Gross misconduct and therefore may be taken through to stage three of this process immediately.
- The policy applies to all students of The College / UCEN Manchester, whether full-time or part-time, and applies at all times during the year. Students under 16 who are still on school registers are also subject to this disciplinary code of conduct whilst they are in College. UCEN Manchester students studying on partner University courses will be subject to the relevant Partner University Regulations if and where applicable.
- The Vice Principal Student Experience and Support has overall responsibility for implementing this code and will delegate this responsibility as appropriate.

Obligations of students and examples of misconduct and gross misconduct are provided later in this document.

Issues relating to student academic performance must be dealt with initially through the Disciplinary Process or through moderation boards and by the HoD Curriculum. Only when it can clearly be shown that this has taken place, should the disciplinary procedure be used, and then only if it is reasonable to do so.

GENERAL PRINCIPLES

- No disciplinary action will be taken against a student until the circumstances have been investigated but a student may be suspended whilst the investigation is carried out.
- A student will be advised of the reason for the disciplinary hearing.

- They will hear the evidence against him/her/them.
- They will be given opportunity to state his/her/their case.
- 16-18-year-old students or vulnerable adults must be accompanied by a parent/ guardian or carer.
- Parents/ guardians or carers will be informed of the outcome and by telephone, email or letter at Stages 1 and 2 and by letter at Stage 3.
- Adult students (aged 18+) can be accompanied by a friend or relative.
- If a student fails to attend a disciplinary hearing, the hearing will still take place and a decision made in their absence (*in absentia*).
- If the disciplinary process results in a warning about unacceptable behaviour, attendance or academic performance, then relevant support will be offered to help him/her/them reach the required standards. The student will be expected to engage fully with the support offer.
- For 14-16-year-old students on School Links programmes, any disciplinary action will be taken in conjunction with the relevant partner high school.
- 14 –16 Home Educated students on a College programme will follow the College disciplinary procedures
- Students with a recognised learning difficulty or disability will be given due consideration during any disciplinary process.
- At every stage of the disciplinary process, staff should be aware of the SEND/HN/LAC/CL students who may be disadvantaged by a formal and written process and adapt the process with advice from the Supported Learning Team and/or Student Experience Team, so that everyone is treated fairly and equitably.
- All stages of the informal and formal procedure will be recorded on ProMonitor: Cause for concerns will be logged by any member of staff, a named Personal Tutor/AT/PT should monitor the number of CFCs raised. When a student receives a Cause for Concern a restorative meeting should be held to address any issues regarding persistent poor behaviour and an action plan put in place (NOK/Virtual School are encouraged to attend). When a student reaches 3 CFCs, then support is needed and should refer for a first stage warning if appropriate. Each formal stage will be recorded as a meeting with a reason and clear targets will be recorded and dated for review. These will be visible to both staff and students
- The outcomes from stage 1 and stage 2 meetings will normally stay on a student's record for the academic year. They may be closed if a student meets the targets set as part of the process but will remain visible should the behaviour be repeated.
- Stage 3 meetings may stay on a student's record permanently and could impact on the student's ability to progress or to re-join the College / UCEN Manchester at any future point.
- Termly reports will be presented to the Principalship team about the numbers of students receiving Stage 1 - 3 meetings. This will be part of the quality process within the College / UCEN Manchester.

Positive Behaviour Rewards

The College / UCEN Manchester have high expectations of its students and believes all students have the potential to achieve great things. There are opportunities in year to celebrate the achievement of students and reward behaviours as set out in The Deal. (see appendix 1).

The following rewards will encourage positive behaviours and acknowledge individuals that are preparing themselves appropriately and adequately for their next steps in terms of employment and personal development.

1. Cause for Celebrations on ProMonitor. These can be issued by all staff as recognition that students have exemplified positive behaviours in line with the The Deal. These can be issued on Pro-Monitor by any staff member. Staff should be encouraged to use cause for celebrations as a form of encouragement and reward.
2. You're a Star Cards (Attendance): these cards will be issued to students that have achieved excellent attendance (95% and above) for each half term. The measure will be the half-termly attendance, giving students with lower attendance the opportunity to still be rewarded for improving attendance in year. These cards will be issued by the AT/PT with a comment logged on ProMonitor
3. The Deal Recognition Portal: All staff have the opportunity to recognise positive behaviour and award students who are demonstrating excellent Deal behaviours and attitudes. This can be recorded on The Hub, using the Deal Portal, each student can be nominated for individual behaviours. When a student receives all seven, they will be entered into the draw for The Deal Student of The Year, issued by the student experience team.

Suspension

Suspension is without prejudice and does not judge a situation or a student, however there may be occasions when immediate action is required to remove a student from the premises. Examples of such occasions may include, but are not limited to the following:

- to prevent immediate risk of harm to others or damage to the premises.
- to enable an investigation to take place and evidence collated
- to prevent interference with evidence of misconduct; as a response to the possession of illegal substances, offensive weapons or an incident of violence towards someone or where a person has incited a violent incident
- for serious misuse of internet sites.
- to ensure individual safety.
- In such circumstances, the student may be required to leave the premises immediately and their ID to be temporarily withheld until the outcome of the investigation is completed. This will be authorised by a Head of Department in liaison with a Senior Manager who may also involve Duty Managers or the police. The student is not allowed to enter any site during the period of the suspension and any attempt to enter during this period will be regarded as a serious breach of expectations.
- The parents or guardians of students aged below 18 will be informed of the suspension immediately by phone or as soon as is practicable followed by a letter. A disciplinary hearing will where practical be arranged within 10 working days of the suspension. A student who is facing possible exclusion will normally be suspended until a disciplinary hearing is held.
- For SEND/High Needs students at risk of being suspended the Supported Learning team need forward notification, who will then check reasonable adjustments have been applied.
- For LAC/CL students at risk of being suspended the Virtual School and Student Experience Team need to be notified
- The suspending manager will notify parents/carers of a suspension. (Students aged 18 or below)

- Students who are suspended will receive work to complete at home and will be monitored through an action plan with their Achievement Tutor or Personal Tutor.

Contact with Police

Where staff suspect a student of committing a criminal offence, being involved in criminal activity or in the possession of an offensive weapon, The College / UCEN Manchester reserve the right to report the matter to the police. The College / UCEN Manchester will always comply with its lawful obligation to help investigate alleged criminal activity.

Misconduct and Gross Misconduct

The following are examples of misconduct and gross misconduct which may result in disciplinary action being taken against students which can lead to a permanent exclusion. This is not intended to be an exhaustive list.

- Failure to uphold The College / UCEN Manchester professional behaviours as described in The Deal.
- Failure to comply with current COVID Guidance Measures
- Failure to comply with Stage 1 and Stage 2 action plans.
- Any breach of the student's obligations including any breach of health and safety or any other regulations, rules or policies or guidelines of The College / UCEN Manchester,
- Smoking or the use of an E Cigarette except in outside designated areas.
- Bullying, intimidation, taunting, verbal abuse
- The use of any violence towards any person.
- The inciting of a violent incident
- Carrying a dangerous weapon.
- Deliberately or by negligence causing damage to any buildings, equipment, books or furnishings or any property of others.
- Theft – from the College / UCEN Manchester, other students or staff.
- Fraud – including forging signatures for claims/ work placement records.
- Any other criminal or dishonest acts.
- Refusal to obey reasonable, lawful instructions.
- Any behaviour which has an adverse effect on the work of The College / UCEN Manchester, including vandalising or damaging or interfering with buildings or equipment.
- Any behaviour which is offensive to people on the grounds of their faith, belief, race, gender, sexual orientation, age, gender identity, learning and/or physical disability.
- Use of offensive behaviour or language.
- Any dangerous or inconsiderate driving, including speeding, on College / UCEN Manchester premises.
- Any behaviour which could bring The College / UCEN Manchester into disrepute.
- Any unauthorised interference with software or data belonging to or used by The College / UCEN Manchester.
- Accessing, downloading or distributing offensive material from the Internet (or elsewhere).
- Persistent lateness for, or absence from, classes. (Mitigating or extenuating circumstances may trigger Fitness to Study or the Progress and Review procedures).
- Persistent disrupting of any classes or any other activity, whether involving staff or other students.

- Putting a young person or vulnerable adult at risk, whether this is physically, sexually or emotionally.
- Being under the influence of alcohol, non-prescribed drugs or solvents.
- Criminal Offences - an allegation or conviction may result in The College / UCEN Manchester being brought into disrepute and could potentially cause significant damage to the reputation of the organisation or would place at significant risk, the welfare or safety of other members of The College / UCEN Manchester community.
- Selling or supplying illegal substances
- Plagiarism. *
- An act of Academic misconduct**

* Plagiarism is defined as "passing off someone else's work as your own". It happens if you copy somebody else's work instead of doing your own. Most people at school level call this 'cheating' or 'copying'. Work must always be rewritten into an original hand, and the sourced referenced.

** Academic misconduct: includes collusion, UCEN Manchester students should refer to their awarding body regulations.

We operate a zero-tolerance policy in relation to these actions and as such it is likely that all actions falling within these categories will be gross misconduct.

ZERO Tolerance - Immediate exclusion

The following acts are classed as gross misconduct for which the college has a **zero tolerance** and can lead to immediate exclusion

- Carrying an offensive weapon – i.e. knife.
- Intent to supply drugs whilst on College / UCEN Manchester premises.
- Violent behaviour towards students, staff or a member of the public on or off campus
- Inciting a violent incident on or off campus

All exclusions will be dealt with on an individual basis, taking into consideration mitigating circumstances, the nature of the offence and evidence provided.

Appeals Procedure

Students are unable to appeal against the outcome of Stage 1 and Stage 2 hearings. At Stage 3, students can make a formal appeal against a decision if they have information or evidence that they do not think was presented at the original Stage 3 meeting or if they think they have been unfairly treated.

- The student must write a letter detailing the reason for the appeal within 5 days of receiving the outcome of a Stage 3 meeting. This should be addressed to the Head of Student Support (on the relevant campus) or Director of Student Experience and Engagement (UCEN Manchester students only)
- The appeal will be reviewed by a nominated member of the Principalship team.
- Following an appeal being considered and concluded by a nominated member of the Principalship team, the student will be notified in writing, with reasons, of the decision made on their appeal. This will normally be within 10 working days. This decision is final and there will be no further right of appeal within The College/ UCEN Manchester.

- For Further Education / College students only – At the end of this process students will be informed of the right to appeal to the Education and Skills Funding Agency
- For students studying at level 4 or above only – The Office of the Independent Adjudicator for Higher Education runs an independent scheme to review student complaints. LTE Group trading as The Manchester College and UCEN Manchester is a member of this scheme. If you are unhappy with the outcome you may be able to ask the OIA to review your appeal. You can find more information about making a complaint to the OIA, what it can and can't look at and what it can do to put things right here: <https://www.oiahe.org.uk/students>. You normally need to have completed this procedure before you complain to the OIA. We will send you a letter called a "Completion of Procedures Letter" when you have reached the end of our processes and there are no further steps you can take internally. If your appeal is not upheld, we will issue you with a Completion of Procedures Letter automatically. If your appeal is upheld or partly upheld, you can ask for a Completion of Procedures Letter if you want one within 28 days of the appeal outcome. The OIA must receive a student's Complaint Form within 12 months of the date of the Completion of Procedures Letter. You can find more information about Completion of Procedures Letters and when you should expect to receive one here: <https://www.oiahe.org.uk/providers/completion-of-procedures-letters>.
- For High Needs students – At the end of this process the Supported Learning team can inform the Local Authority (a) they have left and (b) where they are planning to progress to.
- For Looked After Children/CL students the Virtual School must be informed of all decisions
- A student can appeal/apply to return to College / UCEN Manchester after an exclusion for the following academic year. The student must complete a request to return form which will then be submitted to the special admissions panel and a decision made. The student will be notified of this decision within 5 working days. This decision is final and there will be no further right of appeal within The College or UCEN Manchester.
- Full cost recover – ALL (all other funding streams)

At Risk Reporting

- The 'At Risk' report is available under Curriculum Reports, Student Support 'LS01'.
- Summary 'At Risk' profiles by individual student are available under Curriculum Reports, Student Support 'LS02'.
- Class Profile report CL09
- The Progress and Forecasting Report 'LS10'

Monitoring and Recording

- Cohort Analysis to track progress for 'disciplined students.'
- Individual Learning Plans (ILP's) on ProMonitor.
- Support Plans.
- Class profiles.
- Curriculum Support Groups managed by the Heads Student Support.
- At Risk Report data on number of students at Green, Amber, Red safeguarding and WD data.
- Individual Student Support Summaries tracking, Green, Amber, Red safeguarding and WD data.

Appendix (included in this document)

1. Suspension Flow chart/process	7.Suspension Letter	13.Disciplinary Hearing Outcome Letter	18.Request to Return to College Letter
2. Disciplinary Procedure	8.Stage 1 Letter	14.Exclusion Letter	19.Request to Return to College / UCEN Manchester Form
3.The Deal	9.Stage 2 Letter	15a Procedure for Appeals	20.Request to Return to College / UCEN Manchester Outcome Letter
4.Reasonable Adjustments	10.Stage 3 Letter	15b Appeals Form	21.UCEN Manchester Completion of Procedures Letter
5.Guide to Meditation	11.Invite to Disciplinary Hearing Letter	16.Invite to Appeal Letter	22.UCEN Manchester Appeals Outcome Letter
6. Covid Amendments (applicable)	12.Procedure for Disciplinary Hearing	17.Appeals Outcome Letter	

EQUALITY AND DIVERSITY

Student can expect an inclusive and supportive learning environment whatever their background. It is acknowledged as a part of this policy that achieving equality is not about the same approach for all students but rather treating individuals fairly and equitably.

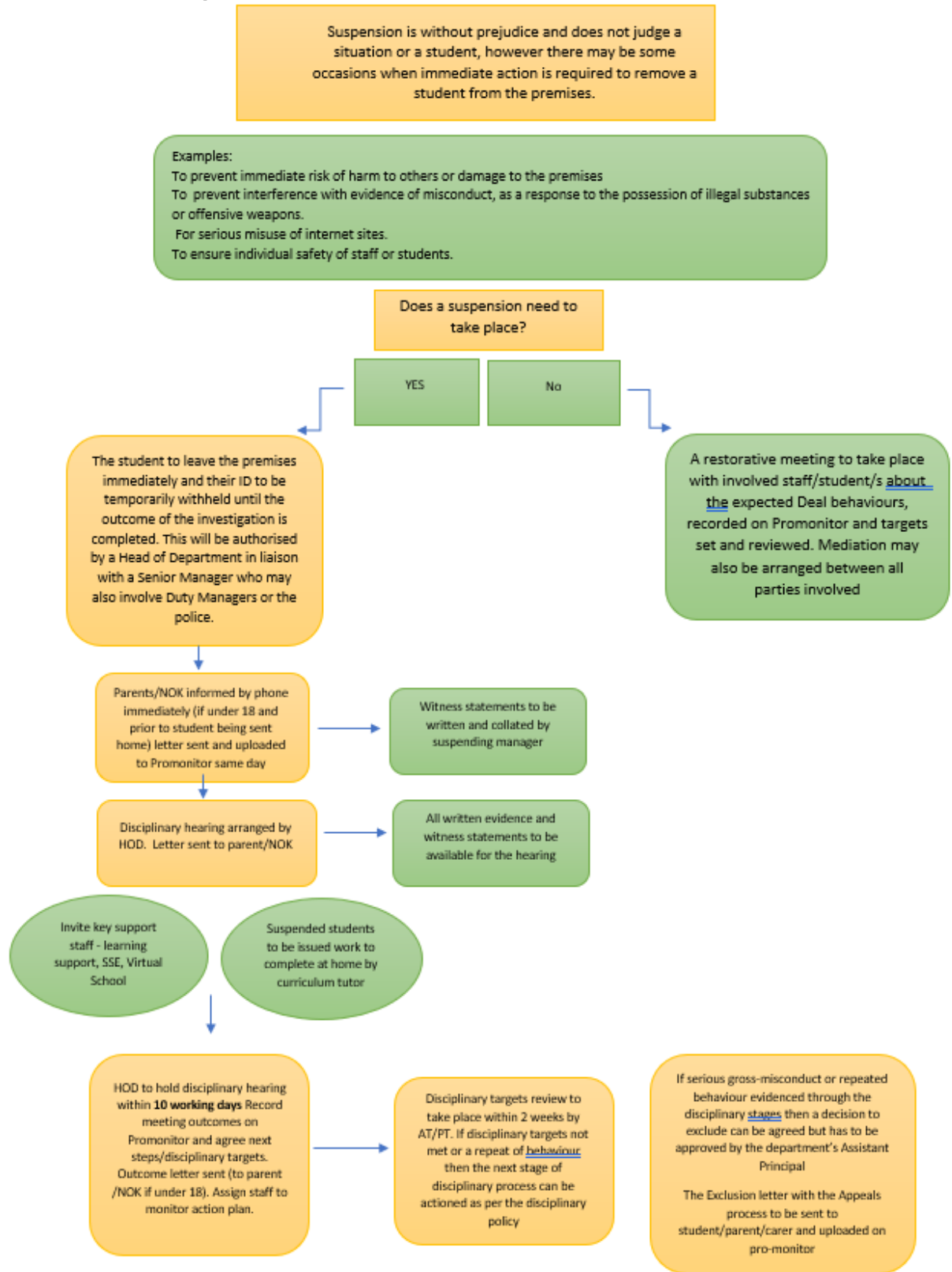
LINKED POLICIES AND PROCEDURES

Safeguarding and Child Protection Policy
 Single Equality Scheme
 Attendance and Punctuality Policy
 Student At Risk and Review Policy
 Fitness to Study Policy
 Prevent Policy
 E Safety Policy
 EDI Policy
 Stop and Challenge Policy

LOCATION AND ACCESS TO THIS POLICY

Staff Intranet
 Website

APPENDIX 1- Suspension Flow Chart



APPENDIX 2

Disciplinary Procedure

Before the disciplinary procedure is enforced staff are expected to demonstrate high standards of behaviour management when dealing with individual student issues. The procedure should only be implemented when these issues become persistent and have an impact on others.

Cause for Concern

- This stage of the process is about the management of behaviour, it is the responsibility of all staff.
- Minor misdemeanours that take place within the classroom or other areas will be dealt with on the spot by the member of staff informally.
- In most cases this will involve challenging the student about their behaviour and asking them to cease or modify their behaviour in line with our expectations and putting strategies in place to support the change in behaviour.
- **Persistent incidents** that impact on others will trigger a **Cause for Concern (CFC)** which must be recorded on Pro- Monitor by the member of staff issuing the CFC the same day with the reason for why the CFC was issued and marking the CFC for the attention of the AT/PT and this will be made visible for students and aged below 18, communicated to parents/guardians/carers via the Portal.
- The AT/PT will monitor the number of CFC's and a student will be given the opportunity to make reparations or engage positively in restorative practices, including mediation with the tutor or students. This will be a planned session led by a staff member and an action plan with targets recorded and monitored by the AT/PT every 1-2 weeks (NOK/Virtual School can be invited to this meeting). If successful de-escalation of CC will be recorded on pro-monitor, if actions not met then another cause for concern may be logged. If 3 cause for concerns are logged this will trigger escalation to a stage 1 warning. A student must always be given the opportunity to improve their poor behaviours before another cause for concern is given for the same issues

For any HN/LAC/CL a member of the Supported Learning team/Virtual School should be informed/invited to the meeting

**D1
Stage 1
Verbal
Warning**

- If a student's behaviour or academic performance does not meet the required standards through the informal stage (cause for concern), or the behaviour is a more serious breach of the code set out in The Deal, (an action of misconduct), the student will be given a **Stage 1 Verbal Warning**. Any member of staff can issue a verbal warning This could relate to a failure to fulfil a commitment to College / UCEN Manchester by, for example, inexplicable poor attendance, disruptive behaviour, failure to complete and submit work on time, or disrespectful behaviour towards staff or fellow students. Reasonable adjustments to be made for SEND/HN students at each stage of the policy in response to their need and consultation with the Supported Learning Team on a case by case basis (see appendix 2)
(For LAC/CL students The Virtual School should be informed and invited to meetings)
- A meeting is set up for the student, support member of staff and tutor/AT and for students aged below 18 (or up to 25 for vulnerable adults), parents/guardians/carers will be informed.
- A verbal warning can be issued by any member of staff
- The outcome of the meeting may be a **Verbal Warning** and an agreed support plan on behaviour management with SMART targets added under The Deal targets, along with a **Verbal Warning** recorded in the meetings section of ProMonitor, this will be made available to Parents on the Portal and copies sent to parents/guardians/carers for students aged below 18, or direct to 18+ with copies of this letter uploaded to pro monitor for tracking/monitoring.
- The students' disciplinary status/badge will be updated automatically on ProMonitor when above is completed for all staff to view.
- The support plan for behaviour management and SMART targets will be monitored every 2 weeks by the AT/PT or named tutor as relevant.

D2

Stage 2

Written
Warning

- If a student who has received a verbal warning that fails to meet the set targets, repeats the issues for which they received the verbal warning or departs from The College's / UCEN Manchester's standards in other aspects of his/her behaviour or academic performance, or commits misconduct (please see section 6) he/she will normally be given a **Second stage Written Warning**. Reasonable adjustments to be made for SEND/HN students at each stage of the policy in response to their need and consultation with the Supported Learning Team on a case by case basis (see appendix 2)
(For LAC/CL students The Virtual School should be informed and invited to meetings)
- A formal warning hearing will normally be chaired by a DTL/Head of Department/Dir Curr.
- Prior to this meeting any statements from students or staff relevant to be completed and uploaded to pro monitor by DTL/HOD – documents should be password protected in line with GDPR guidelines.
- **HOWEVER, IF CONTENT IS OF A SAFEGUARDING NATURE THEN THE DOCUMENTS SHOULD BE UPLOADED TO the MY CONCERN SECURE PORTAL ONLY**
- The parents/guardians/carers of students aged below 18 and student will be invited to attend a Stage 2 disciplinary hearing with the Head of Department/Director with at least 5 working days' written notice stating: The nature of the alleged misconduct and a summary of the evidence for the complaint. Confirmation of the time and place of the hearing. (see appendix for letter template)
- In circumstances where parents cannot attend then a telephone hearing can take place which needs to be recorded as contact under the comments section on ProMonitor.
- At the hearing the student will be entitled to state his or her case (including any mitigating factors) before any decision is taken. After hearing the student's case, the Head of Department/Director may decide to issue a second stage formal written warning.
- Practical measures to avoid recurrence will be implemented, including a support plan on behaviour improvement with SMART targets which will be recorded on ProMonitor under The Deal target and made available to parents/guardians/carers of students aged below 18. They will also be notified in writing of the decision within 5 working days of the hearing with copies of this letter uploaded to pro monitor for tracking/monitoring. SMART targets will be monitored every 2 weeks by the AT/PT or named tutor as relevant.
- The student's disciplinary status/badge will be updated automatically on ProMonitor when above is completed for all staff to view.

D3
Stage 3
Final
Warning

- The Final stage will be triggered when 1) No significant improvement in behaviour or no achievement of the targets set after the Stage 2 Formal Warning or 2) The student's actions are so serious – Gross Misconduct that the student is taken straight to the final stage without having to go through stages 1 and 2. Reasonable adjustments to be made for SEND/HN students at each stage of the policy in response to their particular need and consultation with the Learning Support Team on a case by case basis (see appendix 2)
(For LAC/CL students The Virtual School should be informed and invited to meetings)
- A **Final Written Warning** hearing will be chaired by a Director Curr/AP
- Prior to this meeting any statements from students or staff relevant to be completed and uploaded to pro monitor by Dir Curr/AP – documents should be password protected in line with GDPR guidelines
- **HOWEVER, IF CONTENT IS OF A SAFEGUARDING NATURE THEN THE DOCUMENTS SHOULD BE UPLOADED TO the MY CONCERN SECURE PORTAL ONLY**
- The parents/guardians/carers of students aged below 18 and student will be invited to attend the Stage 3 disciplinary hearing with the Director Curr/AP, with at least 5 working days' written notice stating: The nature of the alleged gross misconduct and a summary of the evidence for the complaint. Confirmation of the time and place of the hearing. (see appendices for letter template)
- The outcome of this meeting will not normally be given on the day but will be provided in writing to the student and parent/ guardian/carer of students aged below 18 within 5 working days with copies of this letter uploaded to pro monitor for tracking/monitoring.
- Reports, outcomes and review dates at all stages of the procedure will be logged on ProMonitor for monitoring purposes, with SMART targets setting accordingly. SMART targets will be monitored every 2 weeks by the AT/PT or named tutor as relevant.
- The student's disciplinary status/badge will be updated automatically on ProMonitor when above is completed for all staff to view.
- A **Final Written Warning** is extremely serious and can result in an exclusion from College / UCEN Manchester, or from the campus/course.

D4

Stage 4

Exclusion

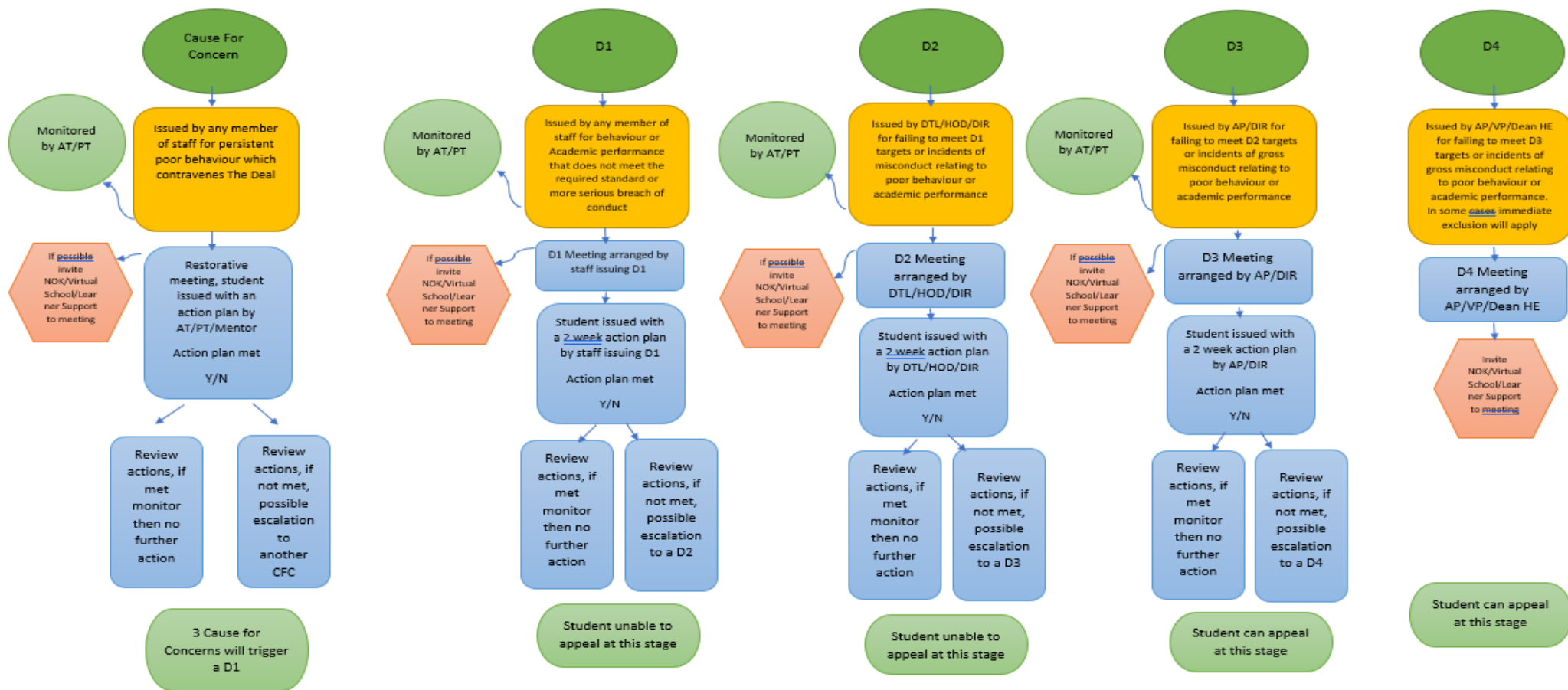
- Should the student continue to fail to meet the targets, to comply with the conditions set or if there is any further incident, or the incident is deemed serious enough at the Stage 3 meeting, the student will not be given a further warning but will normally be permanently excluded from College / UCEN Manchester.
(Options to exclude from the course or the campus can also be considered at this stage)
Issued by AP/VP/Dean HE
- Reasonable adjustments to be made for SEND/HN/LAC/CL students at each stage of the policy in response to their need and consultation with the Supported Learning Team on a case by case basis. (see appendix 2)
- For High Needs students at risk of being excluded, the Support Learning Team need forward notification, who will then check reasonable adjustments have been applied. Before a HN student is excluded the curriculum, team must signpost the students next step/progression and then the curriculum team and Supported Learning team in partnership can inform the Local Authority (a) they have left and (b) where they are planning to progress to.
LAC/CL students at risk of being excluded The Virtual School/Student Experience Support Team must be notified

D5
Stage 5
Appeals

- The student must complete the appeals form within 5 days of receiving the outcome of a Stage 3 meeting. This should be addressed to the Head of Student Support (on the relevant campus) or Dean of Higher Education. (UCEN Manchester students only.)
- The appeal will be reviewed by a nominated member of the Principalship team.
- Following an appeal being considered and concluded by a nominated member of the Principalship team, the student will be notified in writing, with reasons, of the decision made on their appeal. This will normally be within 10 working days. This decision is final and there will be no further right of appeal within The College or UCEN Manchester.
- The outcome of the appeal meeting will be recorded on Promonitor in the meetings section with the appeal decision. If the appeal is successful then a support plan with specific actions will be implemented and monitored by the AT / PT. If the appeal is not successful, then the outcome will be recorded, and the student will be notified in writing.
- For Further Education students only – At the end of this process students will be informed of the right to appeal to the Education and Skills Funding Agency.
- For HN students – At the end of this process the Supported Learning team can inform the Local Authority (a) they have left and (b) where they are planning to progress to
- For LAC/CL the Virtual School must be informed of all decisions
- For students studying at level 4 or above a Completion of Proceedings Letter (COP) will be issued automatically where the appeal has not been upheld. Where the appeal has been upheld or partly upheld, the appeal outcome letter will notify the student they can request a COP letter within 28 days of the date of the outcome of the appeal.
- A student can appeal/apply to return to college after an exclusion for the following academic year. The student must complete a request to return form which will then be submitted to the special admissions panel and a decision made. The student will be notified of this decision within 5 working days. This decision is final and there will be no further right of appeal within The College

Quick Guide: Disciplinary Procedure

The disciplinary process relates to any persistent behaviours that are contrary to those set out in The Deal. All staff are expected to demonstrate high standards of behaviour management when dealing with individuals and implement the process when poor behaviour affects others.



Suspension can occur at any stage. This is without prejudice and does not judge a situation or a student, however there may be some occasions when immediate action is required to remove a student from College premises for safeguarding of themselves or others. For 16-19 students NOK to be informed immediately by phone and letter.

Appendix 3

The Deal



Appendix 4

Reasonable Adjustments

Ensuring the policy is applied equitably and fairly toward students with SEND

At The Manchester College and UCEN Manchester, all students can expect an inclusive and supportive learning environment whatever their background. It is acknowledged as a part of this policy that achieving equality is not about the same approach for all students but rather treating individuals fairly and equitably.

In order to ensure this person-centred approach, for students with SEND, staff should reference MySupport Plan on ProMonitor to ensure that all reasonable adjustments have been considered and implemented before instigating the disciplinary policy. If staff have concerns, they should seek advice from the Supported Learning Team.

However, it is important for all staff to note that students with SEND are set the same high standards as is expected of all students. The purpose of this appendix is to remind support staff and curriculum teachers that additional learning support is considered core to a student's study programme and that failure to engage without reasonable explanation should lead to the following disciplinary action being taken:

- 1) Cause for concern: these should be issued by SEND Support Practitioners when students have not engaged with their scheduled support. Curriculum Teachers and AT/PT should be copied in.
- 2) If a student has not engaged with scheduled support on three occasions or more within one half term period, this should be escalated to an Additional Learning Support Manager and a meeting with parent/NOK arranged. If there are no mitigating circumstances presented at this meeting, student should move to the next stage in the disciplinary process.
- 3) From stages 1 to 4 of the Disciplinary process, Senior SEND Practitioners or Additional Learning Support Managers should be invited to ensure any action plans set for the students can be considered in terms of additional support requirements.

If staff need further clarification, please contact the Additional Learning Support Managers on your campus

Appendix 5

Guide to Mediation

The facilitator will normally be a Head of Curriculum/Student Support. The mediator can help participants to resolve their dispute and to co-exist at the College and UCEN Manchester through using the following procedure:

- Both parties define the problem as they see it, alone with the facilitator.
- The impartial facilitator identifies the key issues for both parties.
- At the end of the individual session with the facilitator, the facilitator ascertains whether the parties are willing to meet, along with the facilitator. This is the point when real mediation can take place, if both parties are willing to try, to move towards reconciliation.
- At the joint meeting, led by the facilitator, both parties should be encouraged to speak and express their opinion with only one person allowed to speak at a time. The students can have representation from a Student mentor/SESP. The facilitator needs to firmly control the meeting to ensure it does not turn into a battle.
- The facilitator sets up a plan of action which will satisfy each party and obtains agreement on these.
- A follow up meeting is agreed, and the situation monitored at agreed intervals by the AT/PT or named tutor. Outcomes are likely to involve apologies; changed behaviour and perhaps some support to achieve changed behaviour e.g. anger management or other skill improvements. The mediation approach cannot always replace a disciplinary approach and students may be placed on a contract or in more extreme or repeated cases be excluded using the College / UCEN Manchester Disciplinary Procedures.

The outcomes of all investigations should be recorded on the student Pro-monitor page.

Appendix 6

Covid Amendment's (if applicable)

Covid Addendum to Behaviour and Disciplinary Policy:

The principles as set out in our Behaviour Policy remain and should continue to be followed. This addendum should not be used as a standalone document and should be read in conjunction with the existing policy.

In these very difficult and unprecedented times, behaviour and safeguarding of our students is still at the heart of our policy and practice at The Manchester College and UCEN Manchester. The Manchester College and UCEN Manchester fully recognises the contribution it can make to protect and support both students and staff amid the Coronavirus epidemic.

The aim of this addendum to our behaviour and disciplinary policy is to inform all staff, students and stakeholders of the key changes to promote a positive and safe learning environment under the current Government guidelines. Our students' and staff welfare, safety and health are a key priority while they are attending The Manchester College and UCEN Manchester. At the Manchester College and UCEN Manchester it is still our policy to continue to promote positive behaviour and establish a culture with high standards and expectations of all students through The Deal behaviour Framework.

By attending The Manchester College and UCEN Manchester during the COVID-19 pandemic you are agreeing to uphold and abide by this addendum to the Behaviour and Disciplinary Policy. This policy sets out clear expectations for our students, staff and stakeholders.

During this pandemic there are additional and strict guidelines that students and staff will have to adhere to. This Policy is consistently and fairly applied by all staff and underpins effective measures we have taken to continue to provide outstanding provision for our students during the COVID 19 pandemic.

Our main aim during the COVID 19 pandemic phased return is to provide a safe and secure learning environment at by following Government guidance and requirements.

The management of behaviour requires that every student and staff member takes personal responsibility and adheres to the measures implemented to keep themselves and others safe.

Where it is identified that any of the above guidance is not being adhered to and/or the actions are deemed to be putting themselves or others at risk then the disciplinary procedures will be implemented and followed e.g. not wearing a face mask



Appendix 7

College / UCEN Manchester Suspension Letter

<<Name>>
<<Address 1>>
<<Address2>>
<<Town>>
<<Postcode>>

I am writing to confirm that you are currently suspended from College / UCEN Manchester until further notice.

The decision to suspend without prejudice has been taken to give you chance to reflect on the situation and allow time for the College / UCEN Manchester to investigate further.

This means that you are not allowed onto any College / UCEN Manchester premises until requested to do so or until the suspension is lifted for safeguarding reasons and to ensure an impartial investigation takes place.

I will contact you again to invite you into a meeting to discuss the incident once our investigation is complete.

If you need to contact me during your suspension, please contact me on (*email*) (*phone number*)

Yours sincerely

Head of Department/AP/Director

Appendix 8

Stage 1 Verbal Warning Letter

<<Name>>
<<Address 1>>
<<Address 2>>
<<Town>>
<<County>>
<<Postcode>>

Dear

Issue of Verbal Warning

Following our meeting on [date], I am now writing to confirm the details of our discussion.
(Warnings can be issued in absentia, where a student fails to attend a scheduled meeting).

You have been found to contravene The Colleges / UCEN Manchester's Disciplinary Policy as a result of the following action(s) on [date]:

As a consequence, I am issuing you with a Verbal Warning and now outline the actions which you are now expected to complete by [date].

Failure to comply with this Verbal Warning could result in further disciplinary action, the final stage of which could result in your exclusion from The College / UCEN Manchester.

If you are unsure as to what is required of you then do not hesitate to contact (myself), your Achievement Tutor or Student Support.

Yours sincerely

Staff Member Issuing Disciplinary

Appendix 9

Stage 2 First Written Warning

<<Name>>
<<Address 1>>
<<Address 2>>
<<Town>>
<<Postcode>>

Dear

Issue of First Written Warning

Following our meeting on [date], I am now writing to confirm the details of our discussion.
(Warnings can be issued in absentia, where a student fails to attend a scheduled meeting).
You have been found to contravene The Colleges / UCEN Manchester's Disciplinary Policy as a result of the following action(s) on [date]:

As a consequence, I am issuing you with a Stage 2 Written Warning and now outline actions which you are now expected to complete by [date].

Failure to comply with this First Written Warning could result in further disciplinary action, the final stage of which could result in your exclusion your course and from The College / UCEN Manchester

If you are unsure as to what is required of you then do not hesitate to contact your Tutor or Head of Student Support.

Yours sincerely

Name
Head of Department/DTL/Director

Appendix 10

Stage 3 Final Written Warning

<<Name>>
<<Address 1>>
<<Address2>>
<<Town>>
<<Postcode>>

Dear

Issue of FINAL Written Warning

Following our meeting on [date], I am now writing to confirm the details of our discussion. (*Warnings can be issued in absentia, where a student fails to attend a scheduled meeting*). You have been found to contravene The College's / UCEN Manchester's Disciplinary Policy as a result of the following action(s) on [date]:

As a consequence, I am issuing you with a Final Warning and now outline the sanctions which are imposed from [date] / the actions which you are now expected to complete by [date].

Failure to comply with this Final Written Warning could result in further disciplinary action, the final stage of which could result in your exclusion from The College / UCEN Manchester.

If you are unsure as to what is required of you then do not hesitate to contact your Tutor or Student Support.

Yours sincerely

Name
AP/Director

Appendix 11

Invite to Disciplinary Hearing Letter

<<Name>>
<<Address 1>>
<<Address2>>
<<Town>>
<<Postcode>>

Dear

I am writing to you in relation to the incident you were involved in here at The Manchester College / UCEN Manchester. We have now conducted an investigation into the situation.

You are invited to attend a disciplinary hearing on ***insert date, time and venue.***

Please report to reception and you will be met there by one of the Managers conducting the hearing.

You may bring someone with you and a member of the Student Support team will also be present if you would like them to support you.

If you need to contact me, please contact me on [***insert email address***](#) or ***insert contact number.***

Yours sincerely

Head of Department/AP/Director

Appendix 12

Procedure for conducting a disciplinary hearing

1. Any written evidence relevant to the allegation must be provided to the student and the Chair prior to the hearing. It is the student's responsibility to ensure that any witnesses called on his/her behalf are informed of the date, time and venue of the hearing.
2. The student is entitled to be accompanied by relatives or friends.
3. A note taker will be appointed as a neutral party to record the discussions and ensure adherence to the procedures.
4. The meeting will be chaired by the relevant HOD/AP/DIR who will ensure that all people required at the hearing are present, and that everyone understands the purpose of his/her presence.
5. The Chair will question those providing the evidence.
6. The Chair will allow the student and/or his/her accompanying representative, friend or relative to question those providing evidence, and to raise queries concerning evidence provided.
7. The Chair will summarise the case against the student.
8. The student or his/her accompanying representative, friend or relative to summarise the student's position/situation.
9. The Chair will call a recess to the hearing, in order to consider the arguments and make a decision.
10. The Chair will reconvene the panel and inform the student verbally of their decision.

If at a stage 3 Final Written Warning disciplinary the issue is upheld, then the chair will indicate the means of appeal.

The Chair will close the hearing, confirming in writing the decision, giving details of the means of appeal, and enclosing an Appeals Form. If the student is under 18 inform his/her parents/guardians of the outcome.

Appendix 13

Disciplinary Hearing Outcome Letter

<<Name>>
<<Address 1>>
<<Address2>>
<<Town>>
<<Postcode>>

Dear

I am writing to you in relation to the incident you were involved in here at The Manchester College / UCEN Manchester. The outcome of your disciplinary hearing is detailed below:

Failure to meet the above conditions could lead to the next stage of the disciplinary procedure or exclusion from college / UCEN Manchester.

If you need to contact me, please contact me on [insert email address](#) or **insert contact number**.

Yours sincerely

Head of Department/AP/DIR

Appendix 14

Permanent Exclusion from College

<<Name>>
<<Address 1>>
<<Address2>>
<<Town>>
<<Postcode>>

Dear Student (UCEN Manchester) /Parent/Guardian

As a result of the Disciplinary Meeting (*delete as appropriate*) held on (*date*) the decision has been made to permanently exclude you from College / UCEN Manchester (*delete as appropriate*) for the following reason/s:

- 1.
- 2.
- 3.

Please ring (*name and telephone number*) to arrange to collect any belongings you may have left on the premises and to return your ID if not already done so.

If you wish to appeal this decision you have 5 days from the date of this letter to contact me on (*email*) (*phone number*). I am attaching the appeals procedure to this letter for your information.

Yours sincerely

AP/VP/Dean of Higher Ed

Appendix 15a

Procedure for the Conduct of Appeals

An Appeal is heard by the Assistant Principal or Vice Principal if an exclusion. The AP/VP will act as Chair. The College / UCEN Manchester position should be presented by a member of the original Disciplinary Hearing. The student may be accompanied by a friend or relative who is designated to speak on his/her behalf (hereafter referred to as the Representative).

1. The Chair to introduce all people present at the appeal.
2. The Chair to ensure that all people required at the appeal are present, and that everyone understands the purpose of his/her presence.
3. The Chair to ensure that the student has an accompanying representative to speak on his/her behalf, if he/she so wishes.
4. The Chair to invite The College / UCEN Manchester representative to present The College / UCEN Manchester position, calling witnesses if appropriate.
5. The Chair to question those providing the evidence for The College / UCEN Manchester position.
6. The Chair to allow the student and/or his/her accompanying representative to question those providing evidence, and to raise queries concerning evidence provided.
7. The Chair to allow the student and/or his/her accompanying representative to reply to the allegations, calling witnesses as required.
8. The Chair to allow questions to the witnesses and/or the student.
9. The Chair to invite The College / UCEN Manchester representative to summarise the situation against the student, followed by the student or his/her accompanying representative to summarise the student's position.
10. The chair to call a recess to consider the evidence.
11. The following options are available as a result of the Appeal:
 - a) To uphold the decision of the disciplinary hearing.
 - b) To overturn the decision of the Assistant Principal and, where appropriate, commute that decision to that of a Stage 3 Final Warning.
 - c) To decide that no action should be taken against the student.
12. All outcomes will be documented and provided to the student/parent/guardian and recorded on Pro-monitor.
13. The decision of the Appeal panel is final and will not be revoked.
14. For students studying at level 4 or above, a Completion of Proceedings (COP) letter will be issued automatically, where the appeal is not upheld.
15. For students studying at level 4 or above, an appeal outcome letter will be issued to students, which informs them of their right to request a COP letter within 28 days of the date of the appeal was conclude, where an appeal is upheld or partly upheld.

Appendix 15b

Appeals Form

The student must complete this form and return it for the attention of the Head of Student Support (relevant Campus) within five working days of any disciplinary hearing.

The Vice Principal: Curriculum and Support / Dean of Higher Education will conduct an appeal interview with the Appeals Panel which will take place within 10 working days of the notice of the appeal being lodged. The student will be given at least 5 working days' notice of the time and place of the appeal interview and will be entitled to be accompanied by a friend or relative. At the appeal interview, the student will be invited to explain the grounds of the appeal and to state his or her case.

Date of Panel:			
Student's Surname:		Forenames:	
Course attended			
Home Address			
		Post Code:	
Contact Telephone No	day/eve/any		
Email			
Please say why you wish to appeal:			
.....			
.....			
.....			
.....			
.....			
(Continue on a separate sheet if necessary)			
Names of any witnesses, appearing on the student's behalf			
.....			
.....			
.....			
Signed by Student Date:			
Signed by Parent/Guardian (If under 18):			

Appendix 16

Invite to Appeal Hearing Letter

<<Name>>
<<Address 1>>
<<Address 2>>
<<Town>>
<<Postcode>>

Dear

I am writing to you in relation to your written request to appeal your exclusion from The Manchester College / UCEN Manchester (*delete as appropriate*).

As the Vice Principal I have now conducted an investigation into your exclusion.

You are invited to attend an appeal hearing on (*insert day and time*)

Please report to reception and you will be met by (*name of person*) and directed to the appeal hearing meeting with myself.

You may bring someone with you and a member of the student support team can also be present if you would like them to support you.

If you need to discuss the above, please contact me on (*insert details*)

Yours sincerely

AP/VP/Dean of Higher Ed

Appendix 17

Appeals Decision/Outcome Letter

<<Name>>
<<Address 1>>
<<Address2>>
<<Town>>
<<Postcode>>

Dear Student (UCEN Manchester)/Parent/Guardian

I have reviewed all the investigation documents and a decision has been made following your appeal. Your appeal has been upheld/not upheld (*delete as appropriate*) for the following reasons:

This decision is final.

(*Delete as appropriate*)

Please contact (appropriate *HOD Curr/SS*) to arrange a date and time when you can return to your study programme.

Please contact (*name and telephone number*) to arrange to collect any belongings you may have left on the premises and to return your ID badge if you have not already done so.

Yours sincerely

AP/VP/Dean of Higher Ed

Appendix 18

Request to Return to College / UCEN Manchester after Exclusion Letter

<<Name>>
<<Address 1>>
<<Address 2>>
<<Town>>
<<Postcode>>

Dear

I am writing as you have requested a return to college / UCEN Manchester following a previous exclusion in (*state year*) from The Manchester College / UCEN Manchester (*delete as appropriate*).

Please can you complete the request to return form giving details of why you want to return to The Manchester College / UCEN Manchester (*see attached*)

All the information given will be carefully considered and you will be informed of the outcome in writing/meeting.

Yours sincerely

Head of Student Support

Appendix 19

Students Request to Return to College/UCEN Manchester after Exclusion Form

The student must complete this form and return it for the attention of Jacqui Casey Chair of The Specials Admissions Panel.

The Special Admissions Panel will meet within 10 working days of the notice of the appeal/application being lodged. The Chair of the Special Admissions Panel will notify the student of this decision within 5 working days. This decision is final and there will be no further right of appeal within The College / UCEN Manchester

Date			
Student's Surname:		Forenames:	
Course/Campus I wish to return to after exclusion			
Home Address			
		Post Code:	
Contact Telephone No	day/eve/any		
Email			
Please say why you wish to return to college / UCEN Manchester after exclusion:			
.....			
.....			
.....			
(Continue on a separate sheet if necessary)			
Names of any people supporting the students return to college / UCEN Manchester			
.....			
.....			
.....			
.....			
.....			
Signed by Student Date:			
Signed by Parent/Guardian (If under 18):			

Appendix 20

Request to Return to College / UCEN Manchester Outcome Letter

<<Name>>
<<Address 1>>
<<Address2>>
<<Town>>
<<Postcode>>

Dear

I have reviewed all the information and a decision has been made following your request to return to study at The Manchester College / UCEN Manchester (*delete as appropriate*).

Your request has been successful/unsuccessful (*delete as appropriate*)

This decision is final.

(*Delete as appropriate*)

Please contact (appropriate *HOD Curr/SS*) to arrange a date and time when you can enrol on your study programme.

Please contact our Careers/Advice/Welfare who can provide you with all the necessary information for your next steps.

Yours sincerely

Chair of The Special Admissions Panel

Appendix 21

UCEN Manchester Completion of Procedures Letter Template

Please note - the format may be adjusted to meet the individual circumstances of a complaint provided that the key points below are included .

Dear [Name of complainant],

Completion of Procedures Letter

This letter confirms that the internal procedures of [name of higher education provider] in relation to your complaint / appeal etc* regarding [please describe] have been completed.

The issues that you raised in your complaint / appeal etc* were [details]

The issue(s) that were considered in relation to your complaint / appeal etc was / were*: [brief summary of the complaint etc] .

The final decision of [*name of higher education provider*] is* [detail] because [reasons].

The procedures / regulations applied were*: [details and date as supplied to the OIA's electronic Regulations Bank] .

[Name of provider] subscribes to the independent scheme for the review of student complaints. If you are dissatisfied with the outcome you may be able to apply for a review of your complaint / appeal etc* to the Office of the Independent Adjudicator for Higher Education (OIA) provided that the complaint you take to the OIA is eligible under its Rules.

Should you decide to make a complaint to the OIA, your OIA Complaint Form must be received by the OIA within 12 months of the date of this letter, that is, it must be received by the OIA on or before [insert date - e.g. if the Completion of Procedures Letter is dated 9 July 2015, this date should be 9 July 2016].

[Include here any factors of which the provider is aware which mean that it is particularly important for the student to bring the complaint promptly.]

You can fill in the OIA's complaint form online or download a copy from the OIA website. <http://oiahe.org.uk/making-a-complaint-to-the-oia/oia-complaint-form.aspx>. The OIA also publishes An Introduction to the OIA Scheme for Students, which can be downloaded from <http://www.oiahe.org.uk/media/122228/intrototheoia-students-april2018.pdf>. Alternatively, you can telephone or write to the OIA for a form. You should send a copy of this letter to the OIA with your OIA Complaint Form.

Guidance on submitting a complaint to the OIA and the OIA Complaint Form can also be found on the OIA's website <http://www.oiahe.org.uk/making-a-complaint-to-the-oia/how-to-make>

[acomplaint.aspx](#). You may also wish to seek advice from the Students' Union about taking your complaint to the OIA.

Please note that the OIA will normally only review issues that have been dealt with through the provider's internal procedures .

Yours sincerely,

[Authorised signatory]

:

Appendix 22

UCEN Manchester Appeals Outcome Letter

UCEN Manchester Appeal Outcome Letter Template (to be used where appeal has been upheld or partly upheld)

Our Ref

Dear

Under the UCEN Manchester Student Disciplinary Policy and Procedure, the appeal panel has sat and reached an outcome to your appeal.

The issues that you raised in your appeal were [details].

The issue(s) that were considered in relation to your appeal: [brief summary of the basis of the appeal etc].

The final decision of UCEN Manchester is that your appeal has been upheld/partly upheld (delete as appropriate) because [reasons].

This letter confirms that all the internal procedures of UCEN Manchester, in relation to your appeal under the Student Disciplinary Policy have been completed. As your appeal has been upheld/partly upheld you will not be automatically be issued with a Completion of Proceedings letter. You have the right to request a Completion of Proceedings Letter within 28 days of the date of this letter, which would allow you to apply to the Office of the Independent Adjudicator (OIA) for a review. The OIA Complaint Form must be received by the OIA no later than 12 months after the date of the Completion of Procedures Letter.

Yours sincerely

Signature