

POLICY OWNER:
FINAL APPROVAL BY:

Vice Principal (Student Engagement)

This Policy and appended procedure apply to all students of Morley College London. The purpose of the Policy is to:

- Promote and maintain high standards of personal

- All students at Morley College London understand the disciplinary action which will be taken if appropriate behaviour is not displayed.
- All students undergoing disciplinary action are, and feel, fairly treated.
- All staff are aware of the processes to follow should they encounter inappropriate student behaviour.

The Policy provides the steps to be taken to ensure fair and consistent approach to student misconduct. The Policy applies to all students of Morley College London.

- 8.1 With the exception of the time allowed for lodging an appeal, time periods stated in this Policy and procedure are for guidance purposes and may be varied by the College in exceptional circumstances, particularly as relate to Safeguarding or Prevent matters.
- 8.2 Whenever the formal stages of the disciplinary policy are invoked, the student will be provided with a copy of this document.
- 8.3 Disciplinary action may be taken against students for repeated breaches of the College's Code of Conduct or whose behaviour is considered to constitute gross misconduct. In such circumstances, a member of the Senior Leadership Team (SLT) has the power to temporarily suspend a student pending an investigation. Where appropriate, the power to temporarily suspend a student can be delegated to another College manager.
- 8.4 Any behaviour involving violence or the threat of violence, deliberate damage to property,

a decision is taken.

- 8.9 Students have a right at all stages to see information kept on file. If they believe it is incorrect and can evidence this, they can request its removal. All such requests shall be

The Disciplinary Policy will be reviewed every four years by the College's Policy Committee and submitted to the Governing Body for approval. The Senior Leadership Team will monitor

The procedures described below reflect Morley College London's commitment to ensuring that its disciplinary processes are conducted in a manner consistent with the principles of fairness and natural justice.

Stage 1: Verbal Warning (Programme Manager/Subject Leader)

For breaches of the Code of Conduct, a Head of School/Curriculum may delegate responsibility to an appropriate manager to conduct a Stage 1 Hearing with a student:

- 1) The manager will speak to any relevant witnesses and establish what happened.
- 2) The manager will invite the student to a 1:1 meeting, giving at least 24 hours' notice.
- 3) The manager will provide the students with a copy of this document.
- 4) The manager will discuss the incident/s with the student during the meeting. If they believe a warning is appropriate, they should issue it verbally, stating very clearly what aspect of the student's behaviour is unacceptable and what action the student is expected to take to resolve this. The student should also be reminded of the Student Code of Conduct and warned verbally that any repeat of the misconduct may result in further action.
- 5) A note of the warning must be made by the manager and placed on the student's file via eTrackr.

If the decision is

If a Stage 2 Written Warning is issued, practical measures to avoid recurrence should be identified and agreed by both the student and Head of School/Curriculum and incorporated

- 2) the student will receive a Stage 3 Written Warning
- 3) the student will be suspended from the class or College for a specified period
- 4) The students will be permanently excluded from the class or College. This decision may be reviewed after a minimum of 12 months should the student wish to enroll at the College again.
- 5) further investigation required before a final decision can be made

The Chair will write to the student within 5 working days to communicate the decision and the reasons for it. The decision will have immediate effect. The letter will confirm the student's right to appeal to the Principal, stating that this must take place within 10 days of receipt of the decision letter. In the case of permanent exclusion, the letter will also state that the exclusion may be reviewed after a specific period of time and the student may be readmitted to the College subject to a satisfactory interview with the relevant Centre Principal and to certain conditions being met.

Stage 4: Appeal

A student who wishes to appeal against a disciplinary decision must do so within 10 working days of the date they were informed of the decision. An appeal can only be considered where new information or evidence is presented. To do so they must write to the Principal, stating their main grounds for appeal. The Principal can reach a final decision based on the evidence from the previous stages and/or new evidence or convene an Appeal Hearing.

At an Appeal Hearing, the Centre Principal who chaired the Investigatory Hearing will be asked to present and explain the reasons for the decision. The student will be invited to explain the grounds of their appeal and state their case. The Principal may ask questions of the student and Centre Principal, and will then consider whether to uphold or dismiss the appeal. Witness can be asked to be on call to answer any questions.

If the appeal is upheld, the Principal may decide lesser disciplinary action, or no disciplinary action, is to be taken. If the appeal is dismissed, the Principal will issue a statement saying they have decided to uphold the recommendation at Stage 3. The Principal's decision is final and not subject to any further appeal. It will be confirmed to the student in writing within 5 working days.

If an appeal is not upheld, or if the student is not happy with the outcome of an appeal, they may refer to the Student Complaints Policy or appeal directly to the relevant funding body (GLA or ESFA) or, for HE students, to the Office of the Independent Adjudicator for Higher Education (OIA).

Conduct of investigation and appeal hearings

Investigations and appeal hearings under this procedure will be conducted fairly. A member of staff who is not directly involved in the hearing will be available to take notes. If communication assistance is required, this will be arranged by the College, considering the need for impartiality.

The Chair of the Panel or (in the case of an appeal hearing) the Principal may:

- Give instructions in relation to the conduct of the hearing, including (without limitation) as to the length of time that any part of the hearing should take. Instructions must be fair, particularly in allowing the student to question the evidence and state their case. Witnesses may be called in to the hearing.
- Exclude from the proceedings any person (including the student or students

representative or relative) who behaves unreasonably or who disregards the instructions of the Chair

- Consider and determine the outcome of any request to postpone a hearing.

If the student does not attend an investigation or appeal hearing without good cause, the hearing may still proceed in the student's absence.

In exceptional cases it may be desirable that variations should be made to procedural aspects of this code. Any such variations must be subject to informing the student concerned and subject always to the consideration of fairness.

If any person who would otherwise be conducting a hearing has previously had close personal involvement in the matter to be considered, the Chair of the Panel or (in the case of an appeal hearing) the Principal must arrange for another member of College staff to take their place.

[Stage 2: Written warning - invitation to interview](#)
[Stage 2: Written warning outcome – warning issued](#)
[Stage 2: Written warning outcome – warning not issued](#)
[Stage 3: Investigation Hearing – invitation](#)
[Stage 3: Investigation Hearing – warning not issued](#)
[Stage 3: Investigation Hearing – warning issued](#)
[Stage 3: Investigation Hearing – Suspension](#)
[Stage 3: Investigation Hearing – Exclusion](#)
[Stage 3: Investigation Hearing – Further investigation needed](#)

Dear [student]

Following [summarise incident and evidence], and in line with the College's Disciplinary Policy (enclosed), you are invited to attend a Stage 2 Disciplinary Hearing with [name of Head of School/Curriculum]. This meeting will take place on [date and time] at [location].

During the meeting, the Head of School/Curriculum will discuss the incident and the evidence above with you and decide whether a Stage 2 Written Warning will be issued. The Head of School/Curriculum may take into account witness statements and/or tutor statements detailing your general conduct and/or any extenuating circumstances.

If you have any questions regarding the meeting, please contact [Head of School/Curriculum email address].

Yours sincerely

b) *Stage 2: Written Warning outcome – Warning*

c) Stage 2: Written Warning outcome – Warning not issued

Dear [student]

Following the Stage 2 Disciplinary Hearing held with [name of Head of School/Curriculum] on [date and time], regarding [refer to incident], this letter confirms that a Stage 2 Written Warning has not been issued for the following reasons:

- i. [State reasons for warning not being issued]

Yours sincerely

d) Stage 3: Investigation Hearing - invitation

Dear [student]

Following [summarise incident and evidence], and in line with the College's Disciplinary Policy (enclosed), you are invited to attend a Stage 3 Investigation Hearing. This Hearing will take

the Senior Leadership Team.

If you wish to appeal against this decision, you must do so within 10 working days of the date of receipt of this letter. An appeal can only be considered where new information or evidence is presented. To do this, please write to the Principal, stating the main grounds for appeal.

Yours sincerely

h) Stage 3: Investigation Hearing – Exclusion

Dear [student]

Following the Stage 3 Investigation Hearing held with [name of Appeal Panel] on [date] at [time] in [location] at [school name],