

STUDENT DISCIPLINARY POLICY

Effective for employees, students, Directors and volunteers on or after 1 June 2021

Review Date: 24 June 2021

Date of next Review: June 2024

Please Note: A formal, full review of this document will take place on a 3-yearly basis. However, in the interim, the document will be updated as necessary to remain current with any internal updates, statutory legislation and/or significant Government guidance updates on the subject.

DOCUMENT TITLE: Student Disciplinary Policy
DOCUMENT NUMBER: SPCP_V1.2
AUTHOR: FRAN DEELEY
CHANGE AUTHORITY: THE BOARD OF DIRECTORS

Fran Deeley

Signature: _____  _____

Date: 24/06/2021

Designation: Director of Operations

Review Date: June 2024

Please Note: A formal, full review of this document will take place on a 3-yearly basis. However, in the interim, the document will be updated as necessary to remain current with any statutory legislation and/or significant Government guidance updates on the subject.

CHANGE MECHANISM

Any person seeking to alter this document must consult the author before making any change.

L&F Change Authority must endorse any alterations to the approved version of this document before any wider dissemination of the altered document version.

The person making the alteration must indicate every change between the previous (approved) document version and the altered document version.

COPYRIGHT

The copyright in this work is vested in L&F, and the document is issued in confidence for the purpose for which it is supplied. It must not be reproduced in whole or in part or used for tendering or manufacturing purposes except under agreement or with the consent in writing of L&F and then only on condition that this notice is included in any such reproduction. No information as to the contents or subject matter of this document or any part thereof arising directly or indirectly there from shall be given orally or in writing or communicated in any manner whatsoever to any third party being an individual firm or company or any employee thereof without the prior consent in writing of L&F. Copyright© L&F, 2021. All Right Reserved

Student Disciplinary Policy

Table of Contents

1. Purpose	3
2. Scope	4
3. Implementation	4
4. Responsibility for Student Discipline	4
5. Breaches of Discipline	5
6. Levels	5
7. Notification of third parties	5
8. Appeals	5
9. Related policies	6
Appendix 1 – Guidance	6
Appendix 2 – Supporting Documents	6

1. Purpose

- To positively establish and maintain the Student Charter and a culture of positive behaviour and good practice.
- To ensure a consistent approach across L&F Training towards maintaining student discipline and encouraging positive behaviour and professional standards.
- To ensure student misconduct is addressed in a timely manner.
- The shared and consistent ownership of student attendance, behaviour and professional standards by all staff, across all elements of a programme or apprenticeship
- To provide direction for staff, students, parents, and employers on the disciplinary procedures to be adopted when the Student Charter is breached, and/or when gross misconduct occurs.

Early L&F Training students (pre 16 year old) are subject to a variation of this policy which must be implemented in conjunction with the school at which the young person is on roll.

The employer of an apprentice involved in a disciplinary process will be informed and if the misconduct occurred in the place of work, the disciplinary may be implemented in conjunction with the employer's code of conduct / disciplinary process.

2. Scope

The Disciplinary Policy reflects and supports:

- The Student Charter
- L&F Training's Strategic Plan
- Policies and procedures on student welfare, including safeguarding, disability and mental health, substance misuse
- Other relevant Academy policies and procedures
- The rules of natural justice
- The principles of restorative practice

3. Implementation

The implementation of this Policy should take into account:

- Seriousness of the misconduct
- Current legislation
- The role of parents/carers and employers
- The age and circumstances of the student

L&F Training has an obligation to ensure a fair disciplinary process for students. Students will be informed how to access L&F Training Policies as part of their induction.

It is at L&F Training's discretion to refer matters to the Police, unless required by law.

4. Responsibility for Student Discipline

All staff have a responsibility for helping to promote positive behaviour and conduct. Staff can seek advice from their line manager in relation to any breach of Student Charter.

All members of staff have the authority to warn a student behaving in a manner that could lead to a breach of the Student Charter, informing them that their behaviour is inappropriate and that disciplinary procedure could follow.

Students are required to read the Student Charter during induction.

Each student has a responsibility to acquaint themselves and comply with the Charter. The copy of the Charter is available on the L&F Training website. Accessible copies are available from L&F Training's Head Office.

5. Breaches of Discipline

Breaches of discipline may vary in severity, starting as the cause for concern and escalating to gross misconduct. Professional judgement will need to be made about the severity of each breach of Student Charter. L&F Training reserves the right to start disciplinary proceedings at the level appropriate to the breach, including escalating straight to the alleged gross misconduct level, taking into consideration any previous disciplinary concerns. If in doubt, staff should contact the appropriate Learning / Training Leader or Managing director to ensure a consistent approach across L&F Training. Examples of breaches are given in the Student Charter and Student Disciplinary Procedures. Where possible, Restorative Practice and/or action plans should be used to resolve minor conflicts without having to resort to formal disciplinary action.

6. Levels

There are three levels to L&F Training's Disciplinary Procedure:

- Cause for Concern
- Disciplinary meeting
- Alleged gross misconduct

The Procedure will begin at the stage appropriate to the seriousness of the breach. Procedures for dealing with individual levels of student discipline are outlined in L&F Training's Disciplinary Procedure.

If a student is withdrawn/withdraws from L&F Training during the disciplinary process, the Complaints and Reputation Officer must be informed and he/she will record this to ensure that appropriate procedures are followed if the student seeks re-admission at a future date.

7. Notification of third parties

Normally, if the student is under 18 or a vulnerable adult, copies of disciplinary documentation will be sent to the parents/guardians/carers. If applicable, copies will be sent to the student's sponsoring employer/agent. Data Protection rules apply and sensitive data should not be shared without the student's specific consent. However it is L&F Training's statutory responsibility to refer matters to external agencies, if required.

8. Appeals

There is a right of appeal against suspension and also against the outcome of a gross misconduct disciplinary hearing. Details of the appeals process is set out in the relevant procedure.

9. Related policies

- Student Charter

Appendix 1 – Guidance

Definitions

Disciplinary meeting: This is a formal procedure.

Days: Reference to days means working days and excludes L&F Training's Academy closure days and school holidays.

Suspension: Following an incident, a student is instructed to leave L&F Training premises and to stay away from L&F Training temporarily, for up to 5 working days. In exceptional circumstances, the suspension may be extended if further investigation is necessary in order to decide a fair outcome. The student should be supported with their studies during the suspension period.

Exclusion: Following a disciplinary meeting, a student may be withdrawn from L&F Training. After a defined period they may re-enrol subject to any provisions made by the Director of Operations.

Appendix 2 – Supporting Documents

- Disciplinary meeting invitation letter
- Disciplinary meeting outcome letter
- Gross misconduct disciplinary meeting invitation letter
- Gross misconduct disciplinary meeting / action outcome letter
- Appeal meeting invitation letter
- Appeal outcome letter
- Formal written warning letter
- Outcome notification letter for parent
- Outcome notification letter for employer
- Student suspension letter
- Disciplinary evidence form