

STUDENT DISCIPLINARY POLICY

## **1. Purpose and Scope**

This policy sets out the College's approach to student discipline, outlining the standards of behaviour expected of all students and the procedures to be followed when those expectations are not met. Its aim is to:

- Ensure a safe and respectful learning environment for all students, staff, and visitors;
- Promote positive behaviour and personal responsibility;
- Outline fair, proportionate, and transparent procedures for addressing misconduct.

This policy applies to all students of Newbattle Abbey College, whether on campus or representing the College in any capacity. It does not cover academic malpractice, which is addressed in the malpractice policy.

For students under the age of 16, any disciplinary procedures will be conducted with additional safeguarding measures in line with child protection protocols. A parent, guardian, or social worker will be included if the disciplinary process advances beyond stage 1.

## **2. Principles**

- All students are expected to behave in a way that supports a positive and inclusive learning environment.
- All students must comply with the College's Dignity and Respect Policy.
- All students must adhere to the expectations outlined in the "Ensuring a positive learning environment" statement (outlined in Appendix 1).
- The College promotes restorative approaches where appropriate, encouraging reflection and change in behaviour.
- Investigations and decisions will be fair, timely, and proportionate to the nature of the concern.
- Reasonable adjustments will be made where appropriate.

## **3. Roles and Responsibilities**

- Lecturers and Personal Academic Tutors: Address minor concerns and initiate informal conversations.
- Student Wellbeing and Support Team: Promote positive behaviour and provide guidance and support to students. Work with students to explore underlying causes of misconduct, implement support strategies, and offer continued wellbeing and learning support throughout the disciplinary process.
- Curriculum Manager: Manage formal disciplinary procedures at Stage 1 and Stage 2. May suspend a student pending investigation.
- Depute Principal: Responsible for this policy. Appoints an Investigating Officer when required. Oversees Stage 3 disciplinary procedures.
- Investigating Officer: Conducts investigations into serious or repeated breaches of discipline.

#### 4. Examples of Misconduct and Likely Consequences

Misconduct refers to any behaviour or action by a student that disrupts the learning environment, disrespects others, violates College policies (including the Dignity and Respect Policy and the “Ensuring a positive Learning Environment” statement), or undermines the safety and wellbeing of the College community. Misconduct can range from minor disruptive behaviour to more serious incidents such as harassment, aggression, or damage to property.

*The following examples and likely consequences are indicative only and are intended to provide guidance on the range of behaviours and possible responses. Each case will be considered on its individual merits. Final decisions on disciplinary actions will rest with the Curriculum Manager and the Depute Principal and Director of Academic Development, based on the nature and severity of the incident.*

<b>Behaviour</b>	<b>Examples</b>	<b>Likely Consequences</b>
Minor misconduct	Disruption in class, late arrival, failure to follow instructions	Informal warning, discussion with appropriate staff member, behaviour agreement
Moderate misconduct	Repeated disruption, inappropriate language, refusal to engage	Formal warning, behavioural contract, temporary removal from class
Serious misconduct	Verbal abuse, threats, vandalism, bullying	Suspension pending investigation, formal disciplinary hearing, potential final written warning, potential exclusion
Gross misconduct	Physical violence, possession of weapons or illegal substances, serious intimidation	Immediate suspension, potential exclusion from college

#### 5. Disciplinary Procedure

##### Stage 1 – Informal

- Minor concerns addressed by the appropriate member of staff.
- Student is given the opportunity to reflect and modify behaviour.
- If appropriate, the Student Wellbeing and Support team will investigate any underlying cause and provide support.
- Actions and expectations documented.

##### Stage 2 – Formal

- For repeated or more serious breaches.
- Curriculum Manager meets with student and support person if desired.
- A written decision on the outcome will be issued within five working days OR the matter referred to Stage 3. Outcomes could include a formal written warning, final written warning and/or action plan.

##### Stage 3 – Investigation and Hearing

- Initiated by the Depute Principal where serious or unresolved concerns exist.

- The Depute Principal will appoint an Investigating Officer to gather evidence and interview relevant parties.
- If the investigation concludes that a disciplinary hearing is required, the student will be invited in writing, with at least five working days' notice. The letter will outline the nature of the concerns and include any evidence being considered.
- The hearing will be chaired by the Depute Principal and attended by a note-taker and, if appropriate, the Investigating Officer. The student may be accompanied by a friend or relative. If under 16, the student must be accompanied by a parent, guardian or social worker. All dialogue and correspondence will be carried out directly with the student. Legal representation at a hearing is not appropriate or acceptable.
- During the hearing, the concerns will be outlined, and the student will be given an opportunity to respond.
- After considering all evidence, the Chair will decide on an outcome, which may include those listed at Stage 2 as well as suspension, with conditions for return, or permanent exclusion.
- The decision will be confirmed in writing within five working days, including reasons and the right to appeal.

#### **Final Written Warning**

- Issued where serious misconduct has occurred or where a formal warning has not resulted in behavioural improvement.
- Communicated clearly in writing, outlining the expectations for improvement and consequences of further breaches.
- Any further misconduct following the issue of a final written warning may result in immediate exclusion without the need for a disciplinary hearing. This decision will be made at the discretion of the Depute Principal, or designated manager, taking into account the individual circumstances of the case.

#### **6. Right to Appeal**

Students may appeal any disciplinary decision following the Student Appeals Policy for non-academic appeals. Appeals must be made by the student and cannot be made by a third party on a student's behalf.

#### **7. Documentation**

A student disciplinary file will be maintained for each individual involved in disciplinary action. This file will include relevant documentation such as notes of meetings, correspondence, investigation reports, and outcome letters. These records will be kept securely and retained for the period outlined in the College's Retention Policy.

## **8. Related Policies**

- Student Attendance and Progress Policy
- Malpractice Policy
- Dignity and Respect Policy
- Equality, Diversity and Inclusion Policy
- Safeguarding Policy
- Student Appeals Policy
- Records Retention Policy

## Appendix 1: Ensuring a Positive Learning Environment

At Newbattle Abbey College, we are committed to creating and maintaining a positive, respectful, and inclusive learning environment where all students can thrive. This environment is built on our shared values of being inclusive, caring, and collaborative. All students are expected to:

- Contribute to a safe, welcoming, and inclusive atmosphere for all members of the College community.
- Engage actively and respectfully in classes, workshops, and College life.
- Attend and participate in scheduled learning activities in accordance with the *Student Attendance and Progress Policy*.
- Treat others with dignity, respecting individual differences and lived experiences, in line with the College's *Dignity and Respect Policy*.
- Communicate respectfully with staff, fellow students, and visitors, both in person and in writing.
- Take personal responsibility for their conduct and learning, seeking support where needed.

Newbattle Abbey College promotes a supportive and restorative approach to learning and personal development. Students are encouraged to reflect on their behaviour, resolve issues constructively, and seek help from the *Student Wellbeing and Support Team*, lecturers, or Personal Academic Tutors if they encounter challenges.

This Policy should be read in conjunction with other relevant College policies, procedures and guidance documents, whether specifically listed above or subsequently published or amended.

The College reserves the right to update, introduce, or revise policies and procedures from time to time.

Compliance with the most current versions of applicable policies and procedures, as published, is expected.

<b>Title:</b>	Student Disciplinary Policy
<b>Lead Officer:</b>	SMT
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