
POLICY

LEARNER DISCIPLINARY POLICY

Scope and application

In order for each individual learner to maximise their learning potential, the College is committed to providing an atmosphere that is conducive to the academic and social well-being of the College community. In support of this, it may be necessary at times to instigate disciplinary or fitness to study procedures.

The purpose of this policy is to provide an appropriate behavioural and academic Disciplinary Policy recognising the need to provide fair and appropriate guidance in relation to learner discipline. This policy is closely aligned to and works in accordance with the Fitness to Study Policy.

This policy should be read in conjunction with the following: Learner Agreement; Fitness to Study Policy; Student Financial Support Policy; Attendance and Withdrawal Policy; Equality and Diversity Policy; Safeguarding Policy; and the Health and Safety Policy.

Table of Contents

1.0	Introduction	1
2.0	Roles and Responsibilities	3
3.0	The College's Contract with Learners	3
4.0	Code of Conduct	3
5.0	Disciplinary Procedures and Processes	4
6.0	Appeals	6
7.0	Disciplinary / Correspondence / Record Keeping / Notification	6
8.0	Suspension	7
9.0	Academic Offences	8
10.0	Criminal Offences	8
11.0	International Learners	9

12.0	Mitigating Circumstances	10
13.0	The Welsh Language	10
14.0	General	10
15.0	Other Relevant Policies	11
16.0	Definitions	11
17.0	Document Control	11
	Appendix A: Informal - Improvement Notice	13
	Appendix B: Formal – Disciplinary Meeting	19
	Appendix C: Final – Disciplinary Hearing	23

1.0 Introduction

- 1.1 In order for each individual learner to maximise their learning potential, the College is committed to providing an atmosphere that is conducive to the academic and social well-being of the College community. In support of this, it may be necessary at times to instigate disciplinary or fitness to study procedures.
- 1.2 The purpose of this policy is to provide an appropriate behavioural and academic Disciplinary Policy recognising the need to provide fair and appropriate guidance in relation to learner discipline. This policy is closely aligned and works in accordance with the Fitness to Study Policy.
- 1.3 The College will also ensure that in applying its disciplinary code it will do so in accordance with its own policies and all relevant legislation, particularly the Fitness to Study and Safeguarding Policies.
- 1.4 The College will provide information regarding learner behaviour on the College website (www.pembrokeshire.ac.uk) and via the College intranet. Information will also be brought to the attention of learners at the admissions stage and at induction where learners will sign their learning agreement.
- 1.5 The College has the right to discipline learners under the contractual relationship it has with them. The College disciplinary policy and procedures apply to all learners undertaking a programme of study. Higher Education learners will also be subject to the academic rules and regulations of the University as stated in the academic handbook of the University of Wales Trinity St Davids. Implementation of the College disciplinary policy will be the responsibility of all staff, detailed in the stage schedules.
- 1.6 Learners of the College and partner organisations will be subject to the rules and regulations of the partner organisation and the College. Work-Based Learning (WBL) Consortium members will have their own policy.
- 1.7 The College in the execution of this policy and procedure will ensure the application of natural justice.
- 1.8 It is recognised that for minor breaches of discipline, a less formal arrangement exists whereby a Course Tutor or the Retention/Attendance Officer will discuss the matter with the learner concerned to resolve the issue. The outcome of such a discussion will be recorded on the e-ILP. Failure of a learner to respond to such

a discussion or offer of support could lead to formal disciplinary action. By signing the learner agreement at enrolment learners are accepting the terms and conditions of this policy.

- 1.9 The College may consider disciplinary action for offences that occur away from the institution where they bring the College name into disrepute or where they impact on learner behaviour and performance or are of a safeguarding concern.
- 1.10 As a result of a final hearing, it may be appropriate to refer a learner to another agency for further help and support. Any referral would be noted in the letter of exclusion and monitored via the Head of Safeguarding and Learner Well-being Services.
- 1.11 If a learner is excluded from the College, the Head of Safeguarding and Learner Well-being Services will provide assistance and referral to other agencies if appropriate in consultation with the learner.
- 1.12 An excluded learner who wishes to reapply to the College will be subject to the provisions of the College's Admissions Policy for re-admittance.
- 1.13 The College recognises the need to treat learners undergoing disciplinary action fairly and to allow them an opportunity to express their views and to be represented. The College will be consistent in its approach and refer to the fitness to study procedure if appropriate.
- 1.14 The College via the Head of Safeguarding and Learner Well-being Services will work in partnership and in accordance with its Service Level Agreements and Information Sharing Protocols with Dyfed Powys Police, Careers Wales, the Youth Offending Probation Services and the Children Services Teams.
- 1.15 In the discharge of its Disciplinary Policy, the College reserves the right at any time to request the presence of Dyfed Powys Police onto the premises. This also includes making specific requests for the drugs dogs to be on the premises for the identification and prevention of substance misuse.

2.0 Roles and Responsibilities

Roles and responsibilities associated with the **Learner Disciplinary Policy** are outlined in the table below:

Role	Responsibilities
Head of Safeguarding and Learner Well-being Services	➤ Lead person responsible for the Learner Disciplinary Policy and Policy author.
Attendance/Retention Officer	➤ Responsible for implementing the Learner Disciplinary Policy for attendance matters and preparation of stage 3 hearings.
Curriculum Area Managers	➤ Undertake stage 2 disciplinary hearings.
Organisational Development Manager	➤ Responsible for promoting positive behaviour.

3.0 The College's Contract with Learners

- 3.1 The College recognises that its relationship with learners is a contractual one. The formation of a learner's contract with the College commences when a learner signs the enrolment form. In signing the College enrolment form a learner is accepting the general learner regulations of the College and as part of those regulations the learner accepts that whilst a learner of the College they will abide by the College rules and regulations.

4.0 Code of Conduct

- 4.1 Learners of the College are expected to conduct themselves at all times in a manner which demonstrates respect for the College, its staff, fellow learners and property and to abide by the standards of behaviour as defined in their learning agreement.

5.0 Disciplinary Procedures and Processes

- 5.1 The College disciplinary procedures are divided into an informal process, formal meetings and if necessary a Final Hearing.
- 5.2 The informal process is a supportive measure before the formal disciplinary procedure is applied. This will generally relate to a failure to fulfil a commitment to the College e.g. regular lateness, poor attendance, low-level disruptive behaviour, failure to complete work on time, disrespectful behaviour towards staff or fellow learners. The following will act as a trigger to initiate this process:
- Attendance falling below 90% in any four-week period during the academic year;
 - Regular unauthorised lateness that disrupts learning;
 - Regular late submission of assessed work, including significant course work; and
 - Any breach of the Learner Agreement or code of conduct whilst travelling on College buses.
- 5.3 In these circumstances and those outlined in Appendix 1, all staff can serve an Improvement Notice on a learner. The Improvement Notice can, where appropriate, include an action plan to achieve the required outcome. The serving of an Improvement Notice must be entered on the learner's e-ilp.
- 5.4 A learner cannot receive more than three Improvement Notices in an academic year. Following this, they should be referred for a Disciplinary Meeting with the Learner Disciplinary Officer. However, a learner can be referred to a Disciplinary Meeting at any stage of the informal process where the behaviour is deemed to have met a threshold.
- 5.5 Where the learner is aged under 18 years, the tutor must send details of the Improvement Notice to the Faculty Registrar who will forward a copy to the learner's parent/guardian/carer.
- 5.6 Formal Process. A Disciplinary Meeting will be held where there has been no improvement following the Informal Process or there is a significant case of indiscipline reported as outlined in Appendix 2.
- 5.7 The learner will meet with the Curriculum Area Manager and will discuss the reported issues.

-
- 5.8 Where the learner is under 18 years of age their parent/guardian/carer will be invited to attend the meeting. From this meeting a learner will either have an action plan to improve on or the learner can be issued with a Formal Warning regarding their behaviour. The outcome of this meeting will be recorded in the learner's e-ILP by the Curriculum Area Manager.
- 5.9 Where the learner is under 18 years, the Curriculum Area Manager / Attendance & Retention Officer will ensure that the Faculty Registrar receives a copy of any warning or action plan in order that it can be forwarded to the learner's parent/guardian.
- 5.10 At this stage the Curriculum Area Manager / Attendance & Retention Officer may consider a programme of supportive interventions and refer to support services and learner coaches for support.
- 5.11 Final Hearing. A Disciplinary Hearing is extremely serious. This represents the final stage of the disciplinary procedure and will address such cases as outlined in Appendix 3.
- 5.12 A learner will be given at least five working days notice in writing of a Final Disciplinary Hearing (unless extenuating circumstances require the hearing to be expedited or the express wish of the learner / parent is for this notice period to be removed).
- 5.13 At a formal or final hearing, learners will have the opportunity to be accompanied by a parent / guardian or learner representative at their discretion.
- 5.14 A final hearing will be chaired by the Head of Safeguarding and Learner Well-being Services and/or Head of Faculty. The hearing will be recorded by the Faculty Officer. Decisions of Final Stage Panels will remain on file for twelve months.
- 5.15 Hearings may continue in absentia if there is written evidence that endeavours have been made to contact the learner and the learner has provided no reasonable or valid excuse for non-attendance.
- 5.16 Decisions made and ratified following a final disciplinary hearing will be communicated in writing and sent by recorded mail to the learner by the Chair. This will normally be within five working days of the hearing.

6.0 Appeals

- 6.1 Learners have the right of appeal at all stages in the disciplinary process:
- Informal service of an Improvement Notice – right of appeal is to the Head of Safeguarding and Learner Well-being Services and or Head of Faculty;
 - Formal Disciplinary Meeting – right of appeal is to the Head of Safeguarding and Learner Well-being Services and or Head of Faculty; and
 - Final Disciplinary Hearing – right of appeal is to the Deputy Principal.

6.2 Appeals for Final Disciplinary hearings must be made in writing to the Deputy Principal, setting out the basis for appeal within five working days of receipt of the decision made.

6.3 The panel hearing the appeal may impose a lesser or greater sanction or uphold the original decision having considered whether the sanction imposed was fair and reasonable in the light of all the circumstances of the case, including the learner's means and general personal circumstances.

7.0 Disciplinary / Correspondence / Record Keeping / Notification

7.1 All correspondence pertaining to disciplinary hearings should be treated as strictly private and confidential.

7.2 Documentation outlined in the procedures will be kept on a confidential file.

Records of information pertaining to disciplinary hearings must contain:

- e-ILP documentation;
- File notes of verbal information;
- File notes of attempted contact; and
- All written correspondence including emails.

7.3 Documentation pertaining to the disciplinary hearing may be destroyed on expiry of any specified timescale.

-
- 7.4 Any documentation that contains unfounded allegations must be marked as such post the hearing but will be maintained on central files by the Head of Safeguarding and Learner Well-being Services.
 - 7.5 The standard format for letters developed by the Head of Safeguarding and Learner Well-being Services will be used for all disciplinary matters. These will be reviewed and amended as necessary, depending upon individual circumstances.
 - 7.6 Files of excluded learners will be held by the Head of Safeguarding and Learner Well-being Services. These files will be re-opened for re-admittance panels where attention will be paid to any re-admittance criteria.
 - 7.7 Detailed records pertaining to disciplinary offences must be maintained. File notes of all communications pertaining to any disciplinary matter should be kept by Faculty Officers and care should be taken to ensure that all such material is factual and balanced. Faculty Officers are responsible for keeping the definitive disciplinary records in secure, confidential files. The Head of Safeguarding and Learner Well-being Services will submit an annual report to the College's Corporation Board.
 - 7.8 The parents of learners aged under 18 will be notified of any disciplinary matters by the Attendance / Retention Officer or the Curriculum Area Manager.
 - 7.9 The Head of Workforce Skills (HOWFS) will contact employers regarding any disciplinary matters pertaining to Work Based Learners (WBL) / Learning At Work (LAW) learners.
 - 7.10 WBL Consortium members will administer their own disciplinary procedures but refer to the College as the lead provider for support if required.

8.0 Suspension

- 8.1 The Head of Safeguarding and Learner Well-being Services, Heads of Faculty and the Attendance / Retention Officer have the right to suspend a learner where it is deemed necessary to do so. Where a learner has entered the College as part of a multi-agency approach the Head of Safeguarding and Learner Well-being Services, and / or the Attendance & Retention Officer will liaise with the appropriate agency during the disciplinary process.
-

-
- 8.2 Where a learner is suspended from College pending the outcome of a disciplinary hearing or external allegation, the learner may be provided with a means to submit course work where appropriate. Learner Coaches will provide support during this period and monitor progress.
- 8.3 A learner shall not be suspended without review for longer than 3 weeks. Once the three-week period has lapsed, a decision of either further suspension, exclusion, complete reinstatement to course or reinstatement with conditions must be made. Reinstatement with conditions or further suspension may also be subject to any internal or external enquiry conclusions. That result may then lead the Chair to review the decision made and exclude the learner.
- 8.4 Traineeship learners however cannot be suspended under the terms above. Their suspension would need to be managed in accordance with the rules for traineeship learners issued as WG guidance.
- 8.5 Learners with ALN will have all due consideration applied to their needs and the situation under fitness to study arrangements.

9.0 Academic Offences

- 9.1 Offences of an academic nature including plagiarism and cheating in examinations will for further education learners be considered and dealt with under the awarding bodies' guidelines and procedures for individual courses.
- 9.2 Academic offences committed by Higher Education learners will be subject to the University's academic regulations as stated in the Academic handbook of the University of Wales Trinity St David.
- 9.3 Reporting of any offences will be as outlined in the disciplinary matrix (Appendix 2).

10.0 Criminal Offences

- 10.1 The College will report any criminal offences or Contest / Prevent concerns to the Police. This will be undertaken via the Head of Safeguarding and Learner Well-

being Services as the designated senior person or in their absence by the Attendance & Retention Officer.

- 10.2 Matters that need to be referred under the College's Safeguarding Policy will be referred under those policies to the Head of Safeguarding and Learner Well-being Services who will liaise with external agencies (primarily the DOMPA and PPU Designated Officer) and multi-agency senior persons as appropriate.
- 10.3 The College may suspend a learner or restrict their access to facilities pending an investigation or complaint that is referred to or from the Police. This will be subject to review at the request of the learner after three weeks.
- 10.4 The College via the Head of Safeguarding and Learner Well-being Services will work in partnership with its service level agreements and information sharing protocols with Dyfed Powys Police and the Youth Justice / Probation Services.
- 10.5 The College will include all criminal offences in its definition of misconduct within its disciplinary procedures. Where an offence is being dealt with by the Police the College will leave the matter to the courts but will reserve the right to decide whether suspension or exclusion in the interim is appropriate. If the learner is convicted by the courts the College will then decide whether expulsion or any other sanction under the Disciplinary Procedure is appropriate.

11.0 International Learners

- 11.1 International learners will be subject to the College disciplinary procedures as defined by this policy.
- 11.2 Additional sanctions for non-payment of fees will apply to international learners that includes temporary suspension from classes until payment is made and withdrawal from examinations if appropriate.
- 11.3 Breaches of Host Family regulations will be dealt with by the Head of Safeguarding and Learner Well-being Services who will incorporate matters into the College disciplinary procedures where appropriate.
- 11.4 Exclusion of an international learner will also be subject to duty of care requirements and managed by the Head of Safeguarding and Learner Well-being Services once the decision has been ratified by the Deputy Principal.

12.0 Mitigating Circumstances

- 12.1 If mitigating or extenuating circumstances of whatever nature are perceived by the College to be the cause of behaviour which would normally warrant disciplinary procedures to be invoked, the learner would be referred under the College's Fitness to Study policy which is an addendum to the College's Safeguarding policy.
- 12.2 The Head of Safeguarding and Learner Well-being Services or Attendance & Retention Officer will liaise with multi-agencies regarding mitigating circumstances in a disciplinary situation.

13.0 The Welsh Language

- 13.1 The Corporation is committed to the promotion of the Welsh Language and will endeavour to address and support the needs of the Welsh speakers in accordance with the College's Welsh Language Scheme.

Yr Iaith Gymraeg

Mae'r Gorfforaeth yn ymrwymedig i hyrwyddo'r iaith Gymraeg a bydd yn ymdrechu i ddelio ag anghenion siaradwyr Cymraeg â'u cefnogi yn unol â Chynllun Iaith Gymraeg y Cole

14.0 General

- 14.1 The College is committed to the promotion of the Education for Sustainable Development and Global Citizenship (ESDGC), the Welsh Language, Equality and Diversity, Essential Skills, Health, Safety, Safeguarding, Wellbeing and the Environment.

15.0 Other Relevant Policies

- Learner Agreement;
- Fitness to Study Policy;
- EMA/Attendance Guidance;
- Equality and Diversity Policy;
- Safeguarding Policy; and
- Health and Safety Policy.

16.0 Definitions

Term	Meaning
Informal disciplinary process.	A supportive measure used before the formal disciplinary procedure is applied.
Formal disciplinary process.	A disciplinary process followed where there has been no improvement following the informal process.
Final Hearing.	The final stage of the disciplinary procedure.

17.0 Document Control

Version	Description	Date	Creator	Reviewer	Authoriser	Document Custodian
2	Rev 2	01/08/2017	Maxine Thomas	Behaviour Management Group	Barry Walters	Bruce Pudner
Signed						

Appendix A: Informal - Improvement Notice

Minor Cases of Indiscipline

Disciplinary Offence	Informal Procedures Handled By	Stage	Maximum Sanction*	Recorded Where	HSE Report Required?	Appeal
Lateness	Course / Subject Tutor Attendance / Retention Officer	Initial	Issue Improvement Notice with warning and improvement action.	e-ILP	No	Head of Safeguarding and Learner Well-being Services OR Head of Faculty
Poor attendance	Course / Subject Tutor Attendance / Retention Officer	Initial	Issue Improvement Notice with warning and improvement action.	e-ILP	No	Head of Safeguarding and Learner Well-being Services OR Head of Faculty

Disciplinary Offence	Informal Procedures Handled By	Stage	Maximum Sanction*	Recorded Where	HSE Report Required?	Appeal
Disruptive or anti-social behaviour in the classroom	Course / Subject Tutor Attendance / Retention Officer	Initial	Issue Improvement Notice with warning and improvement action.	e-ILP	Yes	Head of Safeguarding and Learner Well-being Services OR Head of Faculty
Failure to hand in work	Course / Subject Tutor	Initial	Issue Improvement Notice with warning and improvement action. Referral to Learner Coach.	e-ILP	No	Head of Safeguarding and Learner Well-being Services OR Head of Faculty
Failure to prepare work on time	Course / Subject Tutor	Initial	Issue Improvement Notice with warning and improvement action. Referral to Learner Coach.	e-ILP	No	Head of Safeguarding and Learner Well-being Services OR Head of Faculty

Disciplinary Offence	Informal Procedures Handled By	Stage	Maximum Sanction*	Recorded Where	HSE Report Required?	Appeal
Rudeness	Course / Subject Tutor	Initial	Issue Improvement Notice with warning and improvement action. Letter of apology to staff member where appropriate	e-ILP	No	Head of Safeguarding and Learner Well-being Services OR Head of Faculty
Anti-social behaviour	Course / Subject Tutor	Initial	Issue Improvement Notice with warning and improvement action.	e-ILP	No	Head of Safeguarding and Learner Well-being Services OR Head of Faculty
Breach of LRC guidelines	Course / Subject Tutor	Initial	Issue Improvement Notice with warning and improvement action.	e-ILP	No	Head of Safeguarding and Learner Well-being Services OR Head of Faculty

Disciplinary Offence	Informal Procedures Handled By	Stage	Maximum Sanction*	Recorded Where	HSE Report Required?	Appeal
Breach of work experience contract	Course / Subject Tutor	Initial	Issue Improvement Notice with warning and improvement action.	e-ILP	No	Head of Safeguarding and Learner Well-being Services OR Head of Faculty
Breach of Host Family regulations	Head of Safeguarding and Learner Well-being Services	Initial	Issue Improvement Notice with warning and improvement action.	e-ILP	No	Assistant Principal
Repeated failure to produce an ID badge on request	Course / Subject Tutor	Initial	Issue Improvement Notice with warning and improvement action. Referral to Curriculum Area Manager	e-ILP	No	Head of Safeguarding and Learner Well-being Services OR Head of Faculty

Disciplinary Offence	Informal Procedures Handled By	Stage	Maximum Sanction*	Recorded Where	HSE Report Required?	Appeal
Eating outside of designated areas	Course / Subject Tutor	Initial	Issue Improvement Notice with warning and improvement action.	e-ILP	No	Head of Safeguarding and Learner Well-being Services OR Head of Faculty
Inappropriate use of mobile phones in learning environments	Course / Subject Tutor	Initial	Issue Improvement Notice with warning and improvement action. Referral to Curriculum Area Manager	e-ILP	No	Head of Safeguarding and Learner Well-being Services OR Head of Faculty
Bad behaviour, either on College premises or whilst travelling on College transport.	Course / Subject Tutor	Initial	Issue Improvement Notice with warning and improvement plan	e-ILP	No	Head of Safeguarding and Learner Well-being Services OR Head of Faculty

Disciplinary Offence	Informal Procedures Handled By	Stage	Maximum Sanction*	Recorded Where	HSE Report Required?	Appeal
Breach of parking regulations	Estates team	Initial	Issue Improvement Notice with warning and improvement action.	e-ILP	No	Head of Safeguarding and Learner Well-being Services OR Head of Faculty

Should a HSE report be required, the [PC-HSE-RM-007A. Incident Report Form](#) should be used. A sample is linked here, included in Appendix 5 and can be downloaded from the Health & Safety page on Nexus.

Appendix B: Formal – Disciplinary Meeting

Significant Cases of Indiscipline or 3 Improvement Notices

Disciplinary Offence	Formal Procedures Handled By	Stage	Maximum Sanction	Recorded Where	HSE Report Required?	Representation	Appeal
Learner issued with 3 Improvement Notices	Curriculum Area Manager	Formal	Written warning / Formal contract of behaviour / requirement to pay for damage / letter to parent if appropriate.	e-ILP	No	May be accompanied by a friend or other representative (parent may be informed if under 18, employer if sponsored)	Head of Safeguarding and Learner Well-being Services OR Head of Faculty

Disciplinary Offence	Formal Procedures Handled By	Stage	Maximum Sanction	Recorded Where	HSE Report Required?	Representation	Appeal
Plagiarism	Curriculum Area Manager	Formal	Written warning / letter to exam board / failure of assignment in accordance with exam board regulations Referral to Learner Coach	e-ILP	No	May be accompanied by a friend or other representative (parent informed if under 18, employer if sponsored)	Head of Safeguarding and Learner Well-being Services OR Head of Faculty
Abusive, obscene, reckless, dangerous or offensive behaviour	Curriculum Area Manager	Formal	Written warning / formal contract of behaviour / requirement to pay damages	e-ILP	Yes	May be accompanied by a friend or other representative (parent informed if under 18, employer if sponsored)	Head of Safeguarding and Learner Well-being Services OR Head of Faculty

Disciplinary Offence	Formal Procedures Handled By	Stage	Maximum Sanction	Recorded Where	HSE Report Required?	Representation	Appeal
Dropping Litter	Curriculum Area Manager	Formal	Written Warning / formal contract of behaviour	e-ILP	No	May be accompanied by a friend or other representative (parent informed if under 18, employer if sponsored)	Head of Safeguarding and Learner Well-being Services OR Head of Faculty
Interference with or misuse of College LRC facilities	Curriculum Area Manager	Formal	Written warning / requirement to pay damages formal contract of behaviour	e-ILP	No	May be accompanied by a friend or other representative (parent informed if under 18, employer if sponsored)	Head of Safeguarding and Learner Well-being Services OR Head of Faculty
Minor criminal offences	Curriculum Area Manager	Formal	Police investigation / Written warning	e-ILP	No	May be accompanied by a friend or other representative (parent informed if under 18, employer if sponsored)	Head of Safeguarding and Learner Well-being Services OR Head of Faculty

Disciplinary Offence	Formal Procedures Handled By	Stage	Maximum Sanction	Recorded Where	HSE Report Required?	Representation	Appeal
Reckless / inappropriate use of vehicles	Curriculum Area Manager	Formal	Written warning / payment for damages	e-ILP	Yes	May be accompanied by a friend or other representative (parent informed if under 18, employer if sponsored)	Head of Safeguarding and Learner Well-being Services OR Head of Faculty
Any form of bullying or harassment	Curriculum Area Manager	Formal	- Written warning / formal contract of behaviour	e-ILP	No	May be accompanied by a friend or other representative (parent informed if under 18, employer if sponsored)	Head of Safeguarding and Learner Well-being Services OR Head of Faculty
Breach of parking regulations	Curriculum Area Manager	Formal	- Written warning / formal contract of behaviour / Parking sanction as per regulations	e-ILP	No	May be accompanied by a friend or other representative (parent informed if under 18, employer if sponsored)	Head of Safeguarding and Learner Well-being Services OR Head of Faculty

Appendix C: Final – Disciplinary Hearing

Severe Cases of Indiscipline/Under-Performance

Disciplinary Offence	Formal Procedures Handled By	Stage	Maximum Sanction	Recorded Where	Recorded By who	HSE Report Required?	Decision ratified by	Appeal
Continuous behaviour issues following informal and Discipline meeting	Head of Safeguarding and Learner Well-being Services and Heads of Faculty	Final	Exclusion either on a permanent or temporary basis. This decision must be ratified by the Assistant Principal prior to notification.	e-ILP	Chair	No	Assistant Principal	Deputy Principal within 5 working days of receipt
Non-payment of fees	Head of Safeguarding and Learner Well-being Services and Heads of Faculty	Final	Exclusion either on a permanent or temporary basis. This decision must be ratified by the Principal prior to notification.	e-ILP	Chair	No	Assistant Principal	Deputy Principal within 5 working days of receipt

Disciplinary Offence	Formal Procedures Handled By	Stage	Maximum Sanction	Recorded Where	Recorded By who	HSE Report Required?	Decision ratified by	Appeal
Breach of substance misuse policy - this includes being under the influence or in possession of alcohol or illegal substances Use, possession or sale of illegal substances	Head of Safeguarding and Learner Well-being Services and Heads of Faculty	Final	Exclusion either on a permanent or temporary basis. This decision must be ratified by the Principal prior to notification / referral to Dyfed Powys Police / Appropriate legal action.	e-ILP	Chair	Yes	Assistant Principal	Deputy Principal within 5 working days of receipt

Disciplinary Offence	Formal Procedures Handled By	Stage	Maximum Sanction	Recorded Where	Recorded By who	HSE Report Required?	Decision ratified by	Appeal
Plagiarism	Head of Safeguarding and Learner Well-being Services and Heads of Faculty	Final	Higher Education learners will be subject to the Academic Regulations of the University of Wales Trinity St David and will be dealt with by the Academic Offence Procedures of the University.	e-ILP	Chair	No	Assistant Principal	Deputy Principal within 5 working days of receipt

<p>Cheating in examinations</p>	<p>Head of Safeguarding and Learner Well-being Services and Heads of Faculty</p>	<p>Final</p>	<p>Exclusion either on a permanent or temporary basis. This decision must be ratified by the Principal prior to notification / Examination board informed. Higher Education learners will be subject to the Academic Regulations of the University of Wales Trinity St David and will be dealt with by the Academic Offence Procedures of the University. Referral to Learner Coach.</p>	<p>e-ILP</p>	<p>Chair</p>	<p>No</p>	<p>Assistant Principal</p>	<p>Deputy Principal within 5 working days of receipt</p>
---------------------------------	--	--------------	--	--------------	--------------	-----------	----------------------------	--

Disciplinary Offence	Formal Procedures Handled By	Stage	Maximum Sanction	Recorded Where	Recorded By who	HSE Report Required?	Decision ratified by	Appeal
Serious criminal activities of any kind in any location	Head of Safeguarding and Learner Well-being Services and Heads of Faculty	Final	Exclusion either on a permanent or temporary basis. This decision must be ratified by the Principal prior to notification / referral to Dyfed Powys Police / Appropriate legal action	e-ILP	Chair	No	Assistant Principal	Deputy Principal within 5 working days of receipt
Use of offensive or threatening behaviour	Head of Safeguarding and Learner Well-being Services and Heads of Faculty	Final	Exclusion either on a permanent or temporary basis. This decision must be ratified by the Principal prior to notification / referral to Dyfed Powys Police.	e-ilp	Chair	Yes	Assistant Principal	Deputy Principal within 5 working days of receipt

Disciplinary Offence	Formal Procedures Handled By	Stage	Maximum Sanction	Recorded Where	Recorded By who	HSE Report Required?	Decision ratified by	Appeal
Violent behaviour	Head of Safeguarding and Learner Well-being Services and Heads of Faculty	Final	Exclusion either on a permanent or temporary basis. This decision must be ratified by the Principal prior to notification / referral to Dyfed Powys Police / Appropriate legal action.	e-ilp	Chair	Yes	Assistant Principal	Deputy Principal within 5 working days of receipt
Bringing the College into disrepute	Head of Safeguarding and Learner Well-being Services and Heads of Faculty	Final	Exclusion either on a permanent or temporary basis. This decision must be ratified by the Deputy Principal prior to notification.	e-ilp	Chair	No	Assistant Principal	Deputy Principal within 5 working days of receipt

Disciplinary Offence	Formal Procedures Handled By	Stage	Maximum Sanction	Recorded Where	Recorded By who	HSE Report Required?	Decision ratified by	Appeal
Serious misuse of the College network	Head of Safeguarding and Learner Well-being Services and Heads of Faculty	Final	Exclusion either on a permanent or temporary basis. This decision must be ratified by the Principal prior to notification.	e-ilp	Chair	No	Assistant Principal	Deputy Principal within 5 working days of receipt
Risk to College's duty of care to staff or learners	Head of Safeguarding and Learner Well-being Services and Heads of Faculty	Final	Exclusion either on a permanent or temporary basis. This decision must be ratified by the Principal prior to notification.	e-ilp	Chair	Yes	Assistant Principal	Deputy Principal within 5 working days of receipt
Breach of parking regulations	Head of Safeguarding and Learner Well-being Services and Heads of Faculty	Final	As per parking regulations.	e-ilp	Chair	No	Assistant Principal	Deputy Principal within 5 working days of receipt

Disciplinary Offence	Formal Procedures Handled By	Stage	Maximum Sanction	Recorded Where	Recorded By who	HSE Report Required?	Decision ratified by	Appeal
Vexatious Complaints	Head of Safeguarding and Learner Well-being Services and Heads of Faculty	Final	Exclusion either on a permanent or temporary basis. This decision must be ratified by the Principal prior to notification.	e-ilp	Chair	No	Assistant Principal	Deputy Principal within 5 working days of receipt

In all Disciplinary hearing matters appropriate referral should be made to internal or external support services.

In matters relating to safeguarding or fitness to study, learners will be referred under these respective policies.

Should a HSE report be required, the [PC-HSE-RM-007A. Incident Report Form](#) should be used. A sample is linked here, included in Appendix 5 and can be downloaded from the Health & Safety page on Nexus