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# **STUDENT DISCIPLINARY POLICY**

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## STUDENT DISCIPLINARY POLICY & PROCEDURE

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### Introduction

The disciplinary policy is to keep all members of the Skills Max Academy community safe and to make sure it is a place where all students can learn, and staff can work without disruption caused by poor behaviour. The policy is also to make sure that Skills Max Academy's reputation is not brought into disrepute by poor behaviour of any of our students. The policy is designed so that in the vast majority of cases students are allowed to take steps to improve.

### Student Code of Conduct

These make clear what our expectations are of you as Skills Max Academy students.

You will:

1. Obey the law including laws on theft, fraud, graffiti, damage to property, violence, substance abuse, carrying offensive or dangerous weapons, possession of drugs and alcohol as well as intent to supply drugs.
2. Wear your Skills Max Academy ID card lanyard whenever you can when on Skills Max Academy property. There will be times when this is not possible such as:
  - a. For Health & Safety reasons in workshops,
  - b. If you cannot easily wear your ID when on Skills Max Academy property, you must always disclose your identity when requested to do so by a member of staff.
3. Treat fellow students and staff with courtesy and respect, regardless of their disability, gender, sex, age or ethnicity
4. Fully support Skills Max Academy in promotion of equality and diversity practices
5. Follow all Skills Max Academy health and safety guidelines at all times, including the evacuation procedures
6. Attend all classes, be punctual and hand work in on time
7. Follow reasonable instructions from staff
8. Obey Skills Max Academy computer network regulations
9. Use technology and devices appropriately and in a way that supports learning
10. Respect the Skills Max Academy environment
11. Only Vape or Smoke in designated smoking areas.
12. Respect the community and act responsibly whilst using surrounding areas of the Skills Max Academy grounds.

You will not

1. Distract others or be disruptive in and out of class

2. Bully or harass others including through social media or other online means, or encourage and join in with such behaviour
3. Use inappropriate or offensive language or behaviour
4. Plagiarise (see Plagiarism Policy), cheat or copy work from other students
5. Fight or use threat of violence, or encourage and join in with such behaviour
6. Give your own Learner ID to others for use or use it to grant access to any other person.
7. Make fraudulent claims/alter Learner ID cards, Skills Max Academy records, signatures etc.
8. Bring animals onto Skills Max Academy premises without permission
9. Bring friends or family onto Skills Max Academy premises without permission from the CEO or his representatives
10. Organise private functions on Skills Max Academy premises or in the Skills Max Academy's name without permission from the CEO or his representatives
11. Take part in any gambling activities
12. Bring Skills Max Academy into disrepute through any of your actions.

This list is not exhaustive or exclusive and situations of a similar nature will be dealt with in accordance with these guidelines. Please note that all incidents which involve breaking the law, including all drug related incidents will be passed to the Police immediately.

### **1. The purpose of the policy and how it works.**

1. The purpose of this policy is to help you, as a student, to keep safe and to do well at Skills Max Academy. It sets out what will happen if your behaviour, attitude and / or attendance falls below expected standards.

There are 5 really important things you need to do at all times, these are to:

- display my ID Badge, whenever safe and possible (or present it when requested by any staff)
- respect myself and others.
- respect the environment.
- behave responsibly.
- strive for success.

1.2 The policy ensures that all students are treated the same.

1.3 The policy ensures that things are done on time.

1.4 The policy ensures that rules about attendance and behaviour apply to all students, including full time, part-time, young people, adults, apprentices and so on.

1.5 The policy ensures that everyone knows what they need to do and what happens when the Code of Conduct is broken, and/or when major or gross misconduct occurs by a student.

## **2 Scope (what's in the policy)**

2.1 The Disciplinary Policy reflects and supports the:

- the Student Code of Conduct.
- the Mission of Skills Max Academy
- the Skills Max Academy policy on progression (to your next course or next year of your course) and performance where there are concerns about student performance in the classroom.
- Policies and procedures on student welfare, including safeguarding, disability and mental health, and substance misuse.
- The rules of natural justice (the rule against bias and the right to a fair hearing).
- The principles of restorative practice, which seeks to repair and improve relations between involved parties, for example, where two or more students have disagreements with each other.
- Academic misconduct procedures

## **3 How the policy works**

3.1 The policy takes into account:

- current legislation.
- the role of your parents / carers (if you are a young person or a high needs student), your employer if you are an apprentice.

3.2 Skills Max Academy has an obligation to ensure that if the disciplinary policy is applied to you get a fair hearing. You will be given a copy of the Code of Conduct on joining Skills Max Academy and will be told about it as part of your induction.

3.3 Skills Max Academy will decide if a matter is referred to the Police, unless we are required to do this automatically by law.

## **4 Who is responsible for student discipline at Skills Max Academy**

4.1 All staff at Skills Max Academy have a responsibility to maintain discipline in all areas of the Skills Max Academy community. If you behave in a manner that could lead to a breach of the Code of Conduct, you will be warned, and that disciplinary action could follow. If, however, you behave poorly in a way that is very serious i.e., gross misconduct you will be suspended immediately whilst the matter is investigated ahead of a panel hearing to see if you are allowed to stay at Skills Max Academy.

4.2 You are required to confirm you have read and understood the Code of Conduct during induction.

## **5 Breaches of Discipline**

5.1 There are two elements to the disciplinary process, these are:

- low level disruption;
- formal performance and behaviour management.

## **6 There are 3 main stages:**

6.1 During the first six-weeks of the academic year we will operate an altered disciplinary process, to ensure that students and their parents/guardians are involved quickly in discussing any concerns we might have and agreeing reasonable expectations going forward. These steps might include:

- a. A careers interview to determine if their current course is suitable, suggest alternatives or arrange to try another subject.
- b. Specialist support from our course team leaders.
- c. Specialist learning support.

However, if during the first six-weeks there is a concern about attendance, behaviour or attitude the two-step process below will be initiated.

### **Step 1**

Head of Department meets with student, parent/guardians and other stakeholders to discuss the concern. A detailed action plan is created to address the concern(s), setting targets for improvement and a review date set. At the review date if the desired targets are achieved the process ends. Should the targets not be reached then step 2 is enacted. The Head of Department informs the student and their parent/ guardian of this where applicable.

### **Step 2**

Lead IQA chairs a formal review meeting with the student, parent/guardian and other stakeholders. The Lead IQA reviews progress against the step 1 action plan, then a decision is made as to whether the course / Skills Max Academy is the best choice for the student at this present time.

There are two possible outcomes:

- Final written warning with conditions
- Removal of place from Skills Max Academy

It should be noted that there is no process to appeal the outcome of this decision during the first six weeks. However, be aware that in the event of an act of gross misconduct being alleged, Skills Max Academy can suspend you immediately and go straight to stage 3 gross misconduct panel hearing.

After the first six weeks the following process will be followed:

#### **6.1.1 Stage 1**

Your Tutor will monitor low level disruption. Following 3 low disruption notifications a stage one supportive tutorial meeting will take place with actions set for improvement.

#### **6.1.2 Stage 2**

Following a further breach or if there is a serious behaviour or performance issue, a stage 2 formal meeting will take place with the Head of Department or Lead IQA, this will also include parents / carers where applicable.

#### **6.1.3 Stage 3**

Following a further breach or if a student commits gross misconduct a stage 3 gross misconduct panel hearing will be convened. There are 3 outcomes from this panel:

- case not proven;

or

- exclusion from Skills Max Academy.

or

- return to Skills Max Academy with Final Written Warning and action plan to improve of up to one month, if the student breaks this then he / she will be permanently excluded from Skills Max Academy.

#### **6.1.4 Stage 4**

If you are excluded from Skills Max Academy, you will not be permitted to return for a minimum of 12 months.

Some examples of breaches of behaviour:

#### **Minor Breach – Low Disruption**

Minor breaches of the Student Code of Conduct include attendance and punctuality, unauthorised absences, non-submission of coursework, disruptive behaviour, failure to present ID badge or continually forgetting it, smoking/vaping in non-designated areas, noisy and disruptive in class or not adhering to reasonable behavioural requests.

#### **Major Breach - Serious behaviour or performance management issues**

Major breaches of the Student Code of Conduct include failure to improve against the action plan target(s) set, offensive language, persistent non-attendance or failure to show a valid ID badge when requested, refusal to identify themselves, incapability through drugs or alcohol, acting in an unsafe manner including failure to comply with health and safety policy, harassment, disruption to the work of others.

#### **Gross Misconduct Breach**

Gross breach of the Student Code of Conduct includes failure to improve against the action plan, breaching the terms of the RED attendance card, theft, misconduct or false use of ID card to permit entry to anyone other than those photographed on the ID card, forgery, violence, serious threat of violence, dealing in illegal substances, deliberate damage to property (to which damages will be sought), sending or accessing and/or downloading of pornographic/offensive/terrorist material via the internet, any unauthorised interference with software or data belonging to or used by Skills Max Academy, serious bullying, and any criminal activities affecting Skills Max Academy or other students.

### **7 Suspension**

7.1 Where there is reason to believe that you have committed an act of gross misconduct you will be suspended from the Skills Max Academy by either the Head of Quality or SMT member.

7.2 During a suspension an investigation will take place in preparation for a Disciplinary Hearing.

7.3 During a suspension you will be set coursework to do. You will only be allowed on to the Skills Max Academy site with written permission for the following reasons:

- for meetings/interviews;
- to submit coursework to meet deadlines;
- to take examinations;

### **8 Cooling Off**

8.1 Where an incident requires a “cooling off” you may be asked to leave the Skills Max Academy premises or to move to a specific place within the Skills Max Academy up to a maximum of a day.

8.2 “Cooling off” can be used as a sanction for up to a maximum of 4 weeks and will always be followed by a formal action plan and contract.

## **9 Support for you**

9.1 You are entitled to be accompanied to a Disciplinary Hearing by a parent / guardian, a relative or social worker but not by a person active in legal or other professional work, unless Skills Max Academy otherwise agrees.