


Hull College Group Policy	Procedure Status: Approved	
Title: Learner Behaviour and Disciplinary Policy (including Exclusion)	Ref: CS1.2	Page 1 of 52
Key Policy underpinning the Learner Behaviour & Disciplinary Process for the Group	Next review date: September 2022	

1. Policy Introduction

The college is committed to ensuring that all learners are given the opportunity to learn in a safe and engaging environment.

The college also proactively supports the college's values 'Ready to Work' and 'Work Ready' that learners and staff developed in June 2021. These overarching standards outline the type of behaviours and conduct learners and staff feel should be displayed whilst studying at the college. These standards are promoted during induction and throughout the academic year within classroom/ workshop settings, and they are displayed in classrooms and on corridor notice boards. This policy covers behaviour on college site, and of site while learners are engaging in college activity including trips and online learning.


Equality, Diversity and Safeguarding

The college is committed to promoting inclusive practice and celebrating the diversity of its college community. A key focus of the college is safeguarding and promoting the health and welfare of young people and vulnerable adults. For further information please see the college's Single Equality Scheme and Action Plan and Safeguarding Policy and related guidance.

2. Responsibility and Implementation

This policy sets out the college's position on acceptable behaviours in the college community. It is adopted by teaching and support staff, as well as learners and users of college services. The policy covers all learners including those studying within the 14-16 College. In the case of 14-16 college learners, the Behaviour Development Systems will have been fully utilised prior to implementation of this policy.

The policy works in conjunction with other college policies such as the Safeguarding Policy to ensure learners and staff are able to work in an appropriate and safe learning environment. The procedures aim to clarify the stages of activity that will be used if a learner's behaviour gives cause for concern. Learners can expect clear advice, information and support from college staff throughout their studies. The Policy works in conjunction with the college values.

Hull College Group Policy	Procedure Status: Approved	
Title: Learner Behaviour and Disciplinary Policy (including Exclusion)	Ref: CS1.2	Page 2 of 52
Key Policy underpinning the Learner Behaviour & Disciplinary Process for the Group	Next review date: September 2022	

3. Policy Details

The procedure should be followed when a learner's behaviour fails to meet the expectations and standards set out in the college's learning agreement and key expectations. Actions will be taken if the behaviour threatens the learning environment, or the work of staff or visitors, threatens other people's safety/ability to achieve or could bring the college into disrepute.

All proceedings associated with the learner disciplinary procedure must follow the principles of natural justice and the college will act fairly, in good faith and without bias. All parties involved will have the opportunity to adequately state their case.

4. Process

There are two parts to this section. The first section focuses on procedures relating to further and higher education and section two focuses on 14-16 College. There are flow charts to support this (**appendix 1 – FE/HE/ Apprenticeships**) and **appendix 2 - 14-16 College**)

4.1 Section One: Further Education and Higher Education Learners


The process has three stages. Prior to stage one informal action would be taken by a tutor and often this is to encourage a learner to improve their behaviour and/or performance. Informal intervention will be recorded on ProMonitor. Should informal action not achieve the required outcome appropriate disciplinary action may be necessary leading to the most appropriate stage of the process.

It is important to note that certain behaviour may warrant it being escalated straight to stage two or three of the policy. See **appendix 3** for guidance and **appendix 4** for guidance on powers to search.

Appendix 3a outlines the college behaviour policy in relation to COVID-19 and the response to learners who purposefully put themselves or others at risk.

Standard letters and review forms for each of the stages of the procedure are available in the **appendices**.

Prior to stage one of the process, 'Cause for Concern' should be highlighted on the learners E-ILP page – tutors, Support Staff, security staff and any other member of staff who feels the need to report learner behaviour. This must be completed and sent to the main tutor within **24hrs** from when the issue occurred and on the same day for 14-16 College.

Hull College Group Policy	Procedure Status: Approved	
Title: Learner Behaviour and Disciplinary Policy (including Exclusion)	Ref: CS1.2	Page 3 of 52
Key Policy underpinning the Learner Behaviour & Disciplinary Process for the Group	Next review date: September 2022	

If a cause for concern relates to behaviour deemed as gross misconduct, this must be reported directly to the Head of Department (HoD) / Head of Higher Education **immediately. If the HoD is unavailable, this must be reported to a member of the Wider Management Team or Assistan HoD.**

Stage One: Verbal Warning

Formal action by Tutor (FE), Tutors (HE) and Learning Mentor (Apprentices) where informal action has not led to the improvement of learner behaviour. This may include:

- Three 'Cause for Concern' on the same issue.
- One incident of poor behaviour that warrants an official verbal warning.

There will be a discussion of an agreed plan of action for improvement with the learner on the learners E-ILP. The plan should be agreed by the learner and the staff member and a review date set, usually within a **two-week** teaching period. A note should be made on ProMonitor and sent to relevant staff.

Copies of 'Cause for Concern' and action plans may also be sent to parents, carers, employers and sponsors where appropriately indicated on the Learning Agreement. The course tutor should monitor improvements in performance and this should include consultation with the learner's other tutors/course teams.

Note: It is expected that **up to two** verbal warnings for similar or related issues would be given prior to progression to stage two. The two warnings do not necessarily have to have been given by the same tutor. Each case will be judged on its own merit.


Supporting Documents:

Appendix 5	Invite to Stage One Meeting
Appendix 5a	Summary Letter, including actions and review date
Appendix 5b	Stage One Verbal Warning (Review of Actions)

Stage Two: Formal Written Warning

If the behaviour has not been resolved at stage one, the learner moves to stage two. This will involve a formal meeting with the programme leader or in their absence a Quality Manager (FE) Programme Leader (HE) Sector Manager (Apprenticeships) and the leader. The tutor can also be present at this meeting.

The learner must be advised that the meeting is likely to involve a written warning and of their right to attend with their own representative (e.g. parent, carer, employer

Hull College Group Policy	Procedure Status: Approved	
Title: Learner Behaviour and Disciplinary Policy (including Exclusion)	Ref: CS1.2	Page 4 of 52
Key Policy underpinning the Learner Behaviour & Disciplinary Process for the Group	Next review date: September 2022	

or friend). Alternatively, a member of the Support staff or a member of the Students Union can be asked to accompany the learner. The behaviour will then be discussed in detail with the learner.

Stage two has three possible outcomes to the meeting:

1. No further disciplinary action is taken. The previous verbal warning and action plan stands with an amended review date.
2. The negative behaviour has continued and the learner receives a written warning and a plan of action is agreed by all parties and a review date agreed and set. The review date should be within **two** teaching weeks of the interview. This should be recorded on ProMonitor and sent to relevant staff. In addition this information will be shared with parents, carers, employers and sponsors where appropriately indicated on the Learning Agreement. The course leader will monitor improvements in the learner's performance, in consultation with the other tutors/course team members.
3. If the learner feels they are on the wrong programme of study they may wish to consider a careers guidance interview or transfer to an alternative course. Tutors and learner services support staff will advise on transfer from an existing course. The learner carries their disciplinary record with them. The record remains on file and the action plan remains open.

Note: A total of **two** written warnings regarding the same issue will take the learner to stage three.


Supporting Documents:

Appendix 6	Invite to Stage Two Meeting
Appendix 6a	Summary Letter, including actions and review date
Appendix 6b	Stage Two Written Warning (Review of Actions)

Stage Three: Review by Head of Department/ Assistant Head of Department / Head of HE

If stage two does not achieve the desired improvement in performance or behaviour by the review date then the issue is referred to the Assistant Director of Curriculum (FE)/ Assistant Principal of Higher Education/ Head of Operations (HCUK Training) who will chair a formal review. This will normally occur only when stage one and two of the procedure has been actioned **or** the behaviour has been escalated straight to stage three of the process.

The Head/ Assistant Head of Department/ Head of HE will interview the staff involved, the learner with their representative and any other relevant witness. The learner should receive a minimum of **two days' notice** of the review date and should be advised in writing of the reason for the review.

Hull College Group Policy	Procedure Status: Approved	
Title: Learner Behaviour and Disciplinary Policy (including Exclusion)	Ref: CS1.2	Page 5 of 52
Key Policy underpinning the Learner Behaviour & Disciplinary Process for the Group		Next review date: August 2021

If the learner is under 18 years of age then a parent/carer will be informed of the review in writing where appropriately indicated on the Learning Agreement.

There are two possible outcomes of this review: -

1. The matter is resolved and no further disciplinary action is taken. The previous action plan stands with an amended review date.
2. The behaviours have continued and the learner receives a final written warning and agrees to an appropriate action plan. A copy of the signed action plan and formal written warning should be given to the course leader and curriculum leader and should be recorded on ProMonitor and sent to relevant staff. In addition this information will be shared with parents, carers, employers and sponsors where appropriately indicated on the Learning Agreement. The programme leader will monitor improvements in the learner's performance, in consultation with the other tutors/course team members. The Head/ Assistant Head of Department/ Head of HE retains a copy.

Supporting Documents:


Appendix 7	Invite to Stage Three Meeting
Appendix 7a	Summary Letter, including actions and review date
Appendix 7b	Stage Three Written Warning (Review of Actions)

Exclusion

If the behaviours continue beyond the review date, the Head/ Assistant Head/ Head of HE will inform the Principal and a recommendation to exclude will be made. If a decision is made to exclude the learner the Vice Principal of Curriculum who will confirm this in writing (**appendix 8**) by recorded delivery, to the learner and their parent/guardian where appropriately indicated on the Learning Agreement and/or sponsoring employer, and the learner advised of their right of appeal. **It is usual to define a time period for this exclusion, usually at least one academic year.**

Please note however that the college reserves the right to exclude a learner permanently where the severity of the circumstances indicates that to do otherwise would present an unacceptable risk to learners, staff and the Group community.

The tutor should withdraw the learner using the standard college process and inform the Director of Learner Support Services and the learner will be 'flagged' on the system.

Hull College Group Policy	Procedure Status: Approved	
Title: Learner Behaviour and Disciplinary Policy (including Exclusion)	Ref: CS1.2	Page 6 of 52
Key Policy underpinning the Learner Behaviour & Disciplinary Process for the Group	Next review date: September 2022	

The Director of Learner & Customer Services is informed so that the learner's record can be amended. Only the Director of Learner & Customer Services, the Equality, Diversity and Inclusion Co-ordinator or CEO/Principal can authorise or remove the flagged status on the system.

Gross Misconduct – leading to suspension pending an investigation (to be used only in exceptional circumstances)

Gross misconduct leads directly to stage three of the disciplinary procedure, regardless of whether there have been any previous occurrences of a similar nature. A member of the college Management Team, Assistant Heads of Department or Duty Manager may suspend the learner. Suspension would be pending an investigation. The learner must be informed verbally with a letter to follow (**appendix 9**).

The Director of Learner & Customer Services **must** be informed immediately after the suspension. The Director of Learner & Customer Services will organise and lead the investigation and send a letter of invite to an investigation meeting (**appendix 10**).


The outcome of the suspension and investigation meeting will be agreed and signed by the Vice Principal of Curriculum should a decision to exclude be made (**appendix 11**).

College Duty Managers may also face instances where gross misconduct is suspected. In such circumstances the Duty Manager may decide to temporarily ask a learner to leave site calm a volatile situation and enable an investigation to be completed. The Duty Manager must inform a learner that this period is a cooling off period and temporary (not an exclusion or suspension) and will be followed up in writing within

48 hours. The Duty Manager must also inform the relevant Head of Department or in the absence of a Head of Department an Assistant Head of Department, and complete a Duty Manager Incident Form.

The right to suspend pending investigation

The Hull College has the right to decide what action should be taken prior to the start of a disciplinary investigation; this includes the right to suspend a learner from the college pending completion of an investigation. Suspension should be confirmed in writing to the learner, parent/guardian where appropriately indicated on the Learning Agreement or sponsoring employer. Suspension would not normally be for a period of more than ten working days. Only a Head or Assistant Head of Department or Duty Manager may suspend a learner.

Hull College Group Policy	Procedure Status: Approved	
Title: Learner Behaviour and Disciplinary Policy (including Exclusion)	Ref: CS1.2	Page 7 of 52
Key Policy underpinning the Learner Behaviour & Disciplinary Process for the Group	Next review date: September 2022	

Right of Appeal

The learner receives written notification of the outcome of the decision to exclude but in the first instance may also receive the outcome verbally. In this notification the learner should be informed of their right to appeal against the decision to the Hull College Group Chief Executive Officer (CEO) or a member of the Strategic Leadership Team (SLT) acting on behalf of the CEO. The learner must write to the Hull College CEO normally within **ten days** of the date of the letter setting out the grounds of their appeal. The college CEO or SLT member will hear the appeal. Notification of an appeal hearing (**appendix 12**) will be sent to the learners normally within **ten days** of receipt of the appeal letter. The hearing will take place normally within **15 days** of the invitation to hearing letter. The learner will be advised in writing of the outcome of the appeal (**appendix 13**).

The decision of the CEO or nominee will be final.

4.2 Section Two: 14-16 College

Please note the following information may be relevant for college managers operating as part of the **Duty Manager Rota**.


In the event of a Duty Manager deciding to temporarily suspend a 14-16 Partnerships learner from the College, colleagues must inform the 14-16 team prior to any learner being sent home; this action forms part of the College/Partner Service Level Agreement. Duty Managers must work closely with the 14-16 Team when dealing with and making decisions about a 14-16 college learner.

The Learner Behaviour & Disciplinary Procedure should be followed when a learner's behaviour fails to meet the expectations set out in this policy. 14-16 behaviour procedures focus on self-reflection and positive behaviour development.

Before the formal warning stages the following structure is in place to ensure parental engagement, partnership engagement and learner development is a priority.

14-16 College - developing positive behaviour & respect

1. Tutors offer an in-class support system for positive engagement
2. Mentor out of class support system is in place to support positive choices
3. Action slips in place to focus on expectations
4. Target setting and a three stage report cards with parental meetings and weekly student reviews
5. Additional support needs linked to agencies
6. Reflective code of conducts with Action cards and reviews

Hull College Group Policy	Procedure Status: Approved	
Title: Learner Behaviour and Disciplinary Policy (including Exclusion)	Ref: CS1.2	Page 8 of 52
Key Policy underpinning the Learner Behaviour & Disciplinary Process for the Group	Next review date: September 2022	

Partnership with external schools

Developing behaviour and respect

- Tutors offer an in-class support system for positive engagement
- Parental and school contact to arrange support needs and/or behaviour support plans which link to school practices
- Parental/learner meeting with external schools to implement actions to improve

Formal Warning

At this point, if improvement are not made, the college formal warning system will begin. For partnerships courses the Curriculum team and DoC of the area will implement the formal systems. For the 14-16 College the formal warning system will be implemented by the DOC.

The 14-16 behaviour procedures are shared with learners, parents and partners to ensure consistency.

Where the learner is linked to a partner school, every stage will be communicated with the external school.


The process has three stages, the first of which would normally be preceded by informal action taken by the tutor, usually to encourage a learner to improve their behaviour and/or performance.

Stage One – Verbal Warning

- A verbal warning by the Lead Mentor is the first formal stage of the disciplinary procedure where previous informal action has not had the desired effect on the learner's behaviour
- The behaviour will be discussed with the learner and a plan of action agreed, including the setting of actions/SMART targets
- The learner's tutor should monitor improvements in the learner's performance and share this with the Lead Mentor

Supporting Documents:

Appendix 5	Invite to Stage One Meeting
Appendix 5a	Summary Letter, including actions and review date
Appendix 5b	Stage One Verbal Warning (Review of Actions)

Hull College Group Policy	Procedure Status: Approved	
Title: Learner Behaviour and Disciplinary Policy (including Exclusion)	Ref: CS1.2	Page 9 of 52
Key Policy underpinning the Learner Behaviour & Disciplinary Process for the Group		Next review date: September 2022

Stage Two – Written Warning

- If the difficulty or issue has not been resolved at stage one, information would be escalated to the ADOC to be reviewed at stage two.
- At this point more in depth discussions will take place between the lead mentor for Behaviour of 14-16 College and the wider 14-16 team to resolve the issue to agree a mutually acceptable plan of action.
- A review meeting, led by the ADOC of inclusion would take place.

Supporting Documents:

Appendix 6	Invite to Stage Two Meeting
Appendix 6a	Summary Letter, including actions and review date
Appendix 6b	Stage Two Written Warning (Review of Actions)

Stage Three – Written Warning


- If stage two does not achieve the desired improvement in performance, an in-depth discussion will take place between the Assistant Director of Inclusion and the parent/Guardian or school if a partnership student.
- The learner may be suspended from the programme while a disciplinary hearing is organised, as soon as possible. *(It should be noted that this is viewed as a last resort and exceptional circumstances are considered)*

Supporting Documents:

Appendix 7	Invite to Stage Three Meeting
Appendix 7a	Summary Letter, including actions and review date
Appendix 7b	Stage Three Written Warning (Review of Actions)

In cases of gross misconduct, leading directly to stage 3 it may be necessary for a learner's immediate fixed term exclusion from the College and to be sent home (after contact has been made with the parents/guardians/carers).

Fixed term exclusion, pending investigation, of a 14-16 learner must only be authorised by the Director of 14-16 College.

Hull College Group Policy	Procedure Status: Approved	
Title: Learner Behaviour and Disciplinary Policy (including Exclusion)	Ref: CS1.2	Page 10 of 52
Key Policy underpinning the Learner Behaviour & Disciplinary Process for the Group	Next review date: September 2022	

Fixed Term Exclusion

Work will be provided for learners using the VLE for support and to facilitate assessment. Where the exclusion is longer than five consecutive days, learner mentors will undertake coaching at home during the college day or on college premises after the end of the timetabled college day.

Permanent Exclusion

The 14-16 College will endeavour to work with other agencies to avoid permanent exclusions. Where in accordance with the policy this is impossible, the Director of 14-16 College will immediately notify the Local Authority of its decision to permanently exclude a learner.

14-16 College learners who repeatedly cause low level disruption or discomfort to others will be segregated or excluded for a fixed term (and potentially permanently) at the discretion of the Principal/Deputy Chief Executive where all reasonable efforts fail to engage the learner concerned.


Notification and Appeal Procedures in the case of Fixed Term or Permanent Exclusion

The 14-16 College will follow the guidance issued to parents shown below:

Fixed Period Exclusion from 14-16 College

- Fixed period exclusions are either a set number of days or during lunch time. During this time the child must not return to college or enter the college premises. **Only the Director of 14-16 College has the right to exclude a learner from College for a fixed period**
- Parents will be notified immediately of an exclusion (usually by phone) and a letter (**appendix 14**) will be sent within one college day of the decision. The letter will inform parents of the reasons for the exclusion (it will explain clearly what has happened), the length of the exclusion (in college days) and the date and time when the learner must return to college. The learner and their parents will be invited to a meeting at 14-16 College; this is a good time to talk about concerns and what can be done to help the learner.
- A learner cannot be sanctioned with a fixed term exclusion from 14-16 College for a period of more than 45 college days in any academic year (either as a single sanction or cumulative)

There are two types of fixed term exclusion: (a) Short Term (1-5 days) and (B) Long Term (15 days or more).

Hull College Group Policy	Procedure Status: Approved	
Title: Learner Behaviour and Disciplinary Policy (including Exclusion)	Ref: CS1.2	Page 11 of 52
Key Policy underpinning the Learner Behaviour & Disciplinary Process for the Group	Next review date: September 2022	

(a) Short term fixed period exclusions:

- A learner may be excluded for 1-5 days. On the learners return to college a reinstatement meeting would take place with a member of the leadership team.
- If a learner has been excluded for between 5.5 - 15 college days in a term (adding together all the exclusions that term), the **14-16 College Fixed Term Disciplinary Committee (consisting of the Principal/Deputy Chief Executive , Director of Learner Support Services)** will meet between the 6th and the 50th college day, but only **if the parent/carers requests to do so to review the exclusion**. The parent/carers is entitled to attend this meeting. Even if the learner has returned to college, the Committee members can still say if they would have upheld the exclusion or not and place a statement of their views on the learner's record. The 14-16 College will write to the parent/carers with details and the arrangements for this meeting.
- The 14-16 College will make arrangements for off-site education from the 6th college day of a fixed period exclusion
- If a learner has been excluded for up to 5 college days then the Fixed Term Disciplinary Committee do not have to meet. However, a parent/carers can make written representations if they wish which must be considered within 6 – 50 days of the decision to exclude. The decision will be placed on the learner's record.

There is no right to an independent appeal for fixed period exclusions


- Details of the learner's exclusion will be entered on their college records
- Parents and carers have a right to see their child's college record by contacting the 14-16 College directly
- During the first 5 days of exclusion parents and carers must ensure that their child is not in a public place during normal college hours without good reason (this applies whether or not the parent is with the child). A failure to comply with this is an offence and the parent/carers can be given a fixed penalty notice from the Local Authority

(b) Long term fixed period exclusions:

- If a learner has been excluded for 15 College days or more over a term (long term fixed period exclusion), then the **14-16 College Fixed Term Disciplinary Committee** must meet to review the exclusion between the 6 and 15 college day after the exclusion. The Fixed Term Disciplinary Committee can decide to uphold the decision or allow a learner back to College (called reinstatement). If the learner would miss a public examination, the Committee will try to hold the meeting before the date of the examination. The Committee will have a Clerk to record what is said and to ensure that everybody can state their case fairly

Permanent Exclusion from 14-16 College

- A recommendation for Permanent Exclusion can only be made by the Director of 14-16 College. A pack of evidence with a summary and reference page (**appendix 21**) must be provided for the Principal to review.

Hull College Group Policy	Procedure Status: Approved	
Title: Learner Behaviour and Disciplinary Policy (including Exclusion)	Ref: CS1.2	Page 12 of 52
Key Policy underpinning the Learner Behaviour & Disciplinary Process for the Group	Next review date: September 2022	

This recommendation is reviewed by the Principal prior to communications with parents/carers. **Only the Principal/Chief Executive has the right to exclude a learner from the college.** The final outcome will be communicated (by Phone) and letter (recorded delivery).

- Permanent exclusion means that the learner cannot return to the college or enter the college premises.
- **The Permanent Exclusion Disciplinary Committee (consisting of the Chief Executive Officer, Director of Learner Support Services and Vice Principal of Quality and Improvement)** must meet within 15 college days of the Principal's decision to permanently exclude a child. The Principal would attend this meeting to present their case for exclusion and parents/carers will also be invited to attend this meeting with a friend or legal representative as well as sending a written statement. The 14-16 College will write to parents/carers with details and the arrangements for this meeting
- The Local Authority will receive a copy of the information sent to parents/carers by the college
- After the Permanent Exclusion Disciplinary Committee's meeting, the parents/carers will receive a letter (stating the decision reached by the Committee and the reasons why).

Disciplinary Committee Members

Fixed Term Disciplinary Committee

Assistant Principal of FE and HE and Director of Learner and Customer Services and Group.

Permanent Exclusion Committee

Chief Executive Officer, Director of Learner and Customer Services and Vice Principal of Curriculum.

Independent Review Panel Provided by Hull LA

Democratic Services


Officer Town Clerk's

Service Resources

Directorate

Hull City Council (Room 115, The Guildhall, HU1 2AA)

Tel: 01482 613410

Hull College Group Policy	Procedure Status: Approved	
Title: Learner Behaviour and Disciplinary Policy (including Exclusion)	Ref: CS1.2	Page 13 of 52
Key Policy underpinning the Learner Behaviour & Disciplinary Process for the Group	Next review date: September 2022	

5. Related Procedures, Codes of Practice, Guidance Documents

Further guidance documents include:

Appendix 20	Permanent Exclusion Panel Agenda
Appendix 21	Exclusion Case Presentation Template

Related procedures/policies include:

- College Safeguarding Policy
- College Attendance and Punctuality Policy

Monitoring

The Director of Learner & Customer Services will be informed of any search that results in offensive weapons being found within 24 hours.

The Director of Learner & Customer Services will produce an annual report to the College governing body.

6. Policy checklist

Linked Document : Attendance and Punctuality Policy

Senior manager responsible	Director of Learner & Customer Services
College Committee	Group Welfare Board
Date of next policy review	September 2022

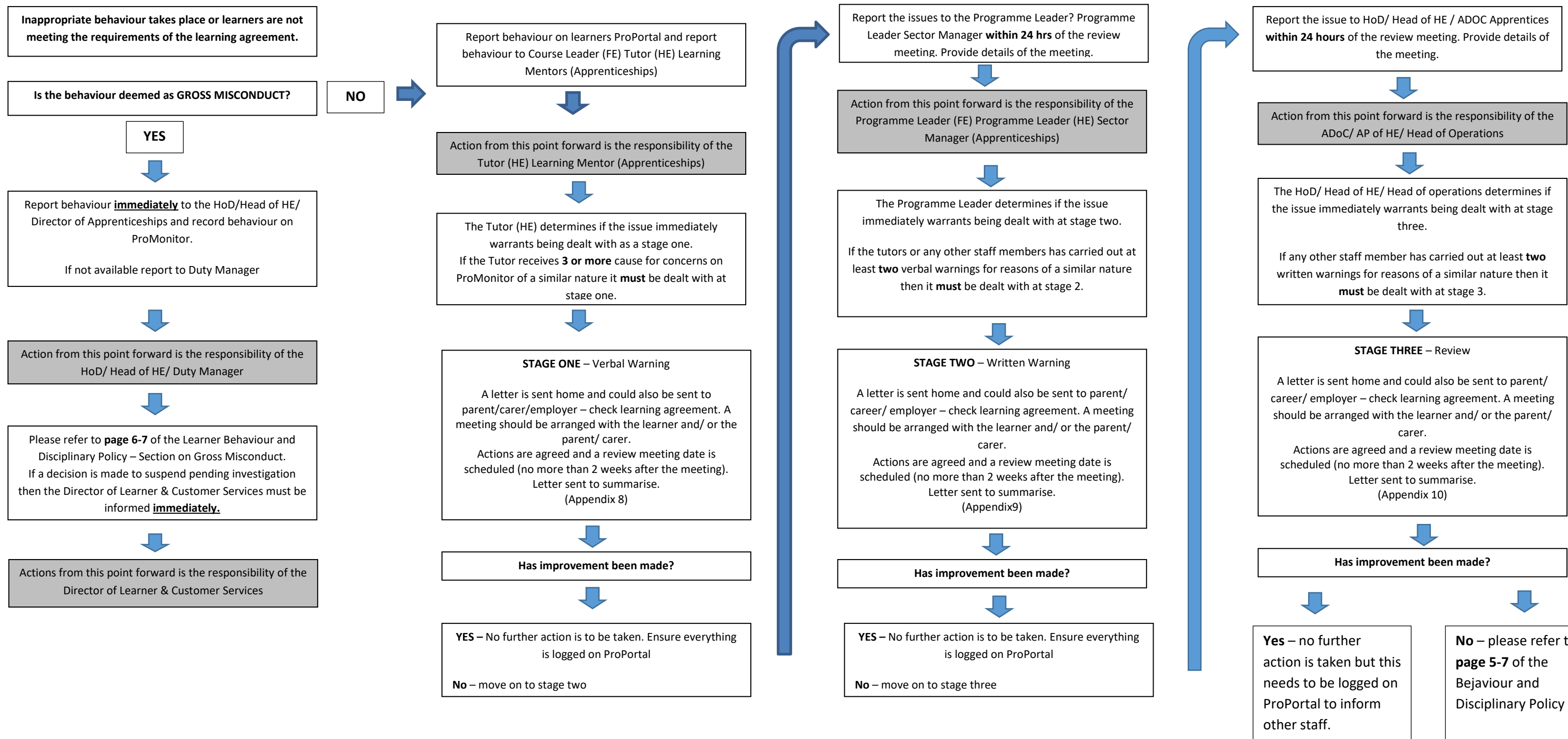
Appendix 1

Learner Behaviour and Disciplinary

Flowchart to Support Correct Action

NOTE: This action is the responsibility of any member of staff within the organisation should learner behaviour not be in line with college values.

Reporting against learners not meeting the requirement of the learning agreement e.g. submission of work, attendance would fall within the curriculum team.

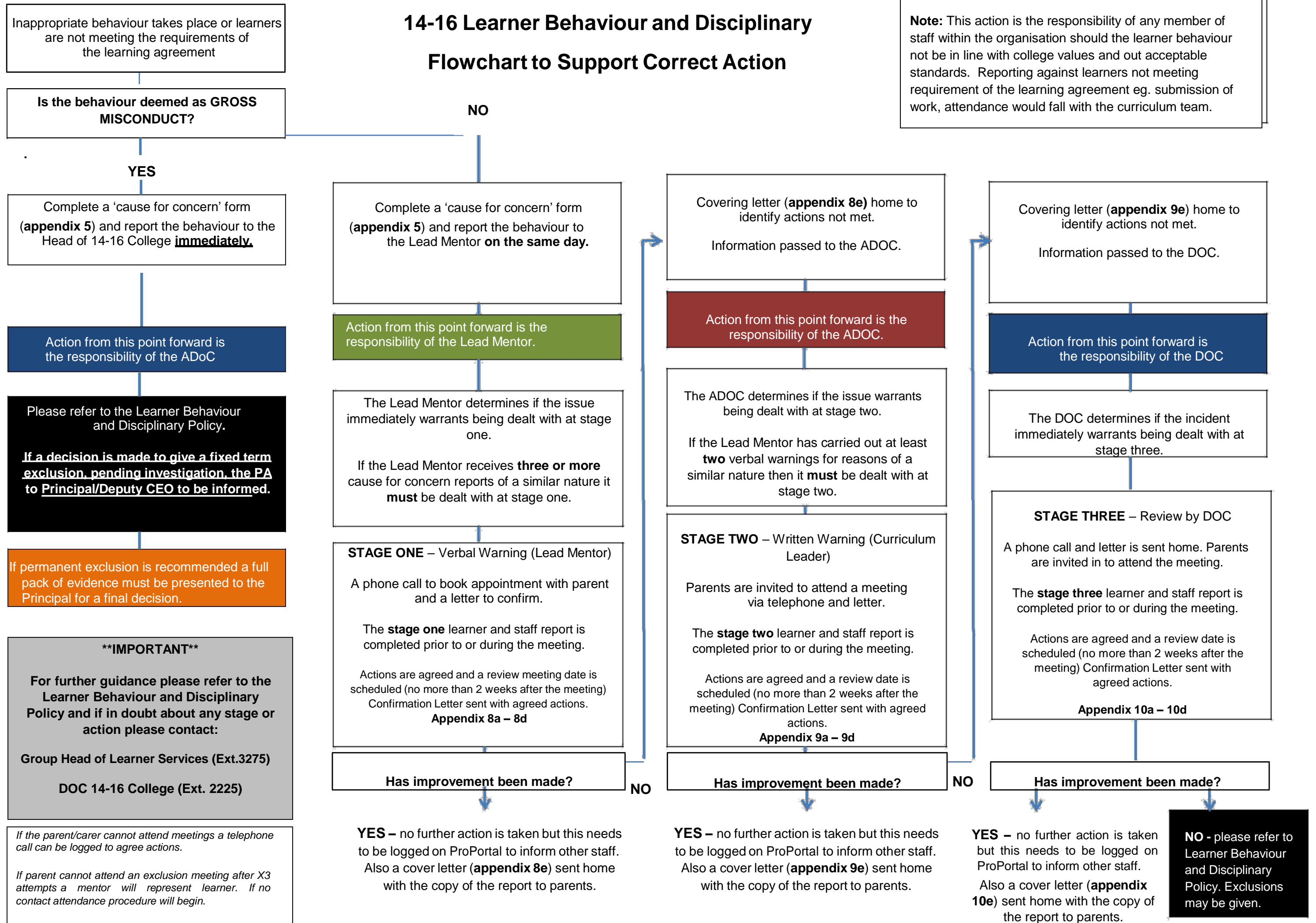


A full copy of the policy can be found on the Portal within Student Services Policies, Procedures and Guidance.

Appendix 2

14-16 Learner Behaviour and Disciplinary Flowchart to Support Correct Action

Note: This action is the responsibility of any member of staff within the organisation should the learner behaviour not be in line with college values and out acceptable standards. Reporting against learners not meeting requirement of the learning agreement eg. submission of work, attendance would fall with the curriculum team.



Appendix 3

Guidance Notes:

Stage One: Verbal Warning

Verbal warnings may occur as a result of one or more of the following

- The use of swearing and/or unacceptable language
- Aggressive behaviour such as shouting or spitting
- Lack of respect for College values/property
- Failure to meet attendance targets
- Failure to submit work on time
- Consistent lateness to class
- Class disruption
- Theft/attempted theft (depending on severity – could be considered at any stage of the disciplinary process)
- Disruption on College premises
- Failure to respond to a reasonable request from staff i.e. sitting in corridors/congregating around entrances
- Failure to comply with social distancing of 2m in response to COVID-19

Stage Two: Formal Written Warnings may occur as a result of:

The above behavioural issues continuing and/or escalating requiring further disciplinary intervention.

Stage Three: Review by ADoC/Assistant Principal of HE

The above behavioural issues continuing and/or escalating requiring further disciplinary intervention

Gross Misconduct may include:

- Racism
- Discrimination
- Vandalism
- Assault
- Violence
- Bullying (including text/cyber-bullying)
- Harassment
- Sexual Violence, Abuse and Harassment (including online)
- Possession of a weapon
- Damage to College property or premises
- Abuse of the College's computer network, including inappropriate use of the internet
- Bringing the name of the HCUK into disrepute
- Possession or consumption of alcohol and/or drugs
- Arson
- Spitting

Note: In the event of a learner committing or suspected of committing an illegal or unlawful act the College may decide to refer the matter to the Police.

Note: Charging learners for malicious and/or criminal damage and vandalism to college property

Learners who are found to have committed malicious and/or criminal damage or vandalism on any college premises will be rightly expected to pay towards the costs of repair or replacement incurred by the college. The Directors of Curriculum, in conjunction with the Estates Department will assess the appropriate amount of compensation to be paid by the learner on an actual costs basis during the investigation stage and this will be confirmed at the disciplinary hearing. Following the disciplinary hearing any compensation required will be confirmed to the learner in the disciplinary letter including costs, payment methods, and any further sanction.

Appendix 3a

This appendix is an addendum to the existing Learner Disciplinary and Behaviour policy and is in response to the COVID-19 pandemic and should be considered alongside this policy

For learners attending College

- All members of Hull College and visitors will adhere to the 2 meter social distancing guidelines at all times.
- Learners will take every precaution to reduce the risk of virus transmission by regularly washing hands, applying hand sanitiser, keeping work areas clean and making use of the cleaning materials provided.
- Not staying in the area you have been designated or deliberate contact with other students or staff will be deemed a breach of college Policy and will invoke disciplinary procedure.
- Any incidents of spitting on college premises will result in gross misconduct and a suspension from the college that could lead to permanent exclusion.
- Failure to adhere to all college health and safety rules in relation to Covid19 will result in immediate disciplinary action.

For learners learning from home

- Learners will continue to implement safe use of the internet as laid out in the eSafety policy.
- Use of inappropriate language or behaviour within any IT platform affiliated with the College is not acceptable and will be dealt with through the disciplinary procedure
- Use of threatening, aggressive language or behaviour with in any IT platform affiliated with the College, towards staff or learners, from either learners or family, will result in an immediate denial of access and a requirement to collect and return paper-based work on a weekly basis.

Appendix 4

Power to Search Learners for Weapons

Section 85B of the Further & Higher Education Act 1992 (inserted by Section 46 of the Violent Crime Reduction Act 2006), means college staff have a power to search learners at the Hull College Group, with reasonable grounds for suspicion and without consent. For learners over compulsory school age in Further Education, the College can also search with or without consent.

These powers are subject to the following conditions:

7. They are exercised on College premises or elsewhere where the member of staff has lawful control of the learner (i.e. during a field trip)
8. Searches are undertaken or authorised by the Deputy CEO, either to ensure the safeguarding of the College community or to deal with a specific incident
9. The learner can only be required to remove outer clothing, i.e. clothing not worn next to the skin or immediately over underwear, staff members can require the learner to remove shoes, gloves, scarf or hat
 - The person conducting the search must be of the same sex as the learner and may only carry out a search in the presence of another member of staff of the same sex as the learner
 - Anything found which the member of staff has reasonable grounds for suspecting is a knife, blade, or what is considered by law an offensive weapon, may be seized and will be handed over to the police as soon as reasonably practical
10. The person exercising the power may in doing so use such force as is reasonable in the circumstances. Where the staff member anticipates force may be required, it may be advisable to call the police if it is feasible to postpone the search until they arrive

How these powers are used at Hull College Group

- If a member of the Hull College Group staff has reason to believe a learner is carrying an offensive weapon, the member of staff will immediately contact the College security team to request a search
- Security will arrange, as soon as reasonably practical for the learner to be searched in private, in the presence of another member of staff of the same sex
- If a member of the College security team of the same sex as the learner is not available, and it is not practical to postpone the search, then security will arrange for two members of staff of the same sex to carry out the search. In such circumstances a member of the Group Wider Management Team must be one of the staff members of the same sex
- Any learner found to be carrying an offensive weapon will be immediately suspended from the College and handed over to local police, along with the confiscated weapon; the Duty Manager will be informed
- Any learner found to be carrying an offensive weapon will be subject to the learner disciplinary procedure and the matter will be treated as gross misconduct
- All persons being searched are entitled to a formal written record of the process.

Appendix 5 (remove this)

Letter Reference

Date

«Contact_1_Name»

«Address_1»

«Address_2»

«Address_3»

Dear «Contact_1_Name»

Re: Invitation to Stage One Verbal Warning Meeting

I am writing to you in connection with (your behaviour or add name of learner if addressed to a parent) and conduct while at College. I am concerned about an incident relating to (item, issues, problem, etc).

(You or name of learner) (are or is) at Stage One of the Group Learner Behaviour and Disciplinary Policy. In order to address this problem and discuss these difficulties you are invited to attend a Stage One meeting in accordance with the agreed Learner Behaviour and Disciplinary Policy, on (Date of meeting) at (Time of meeting) in (Room/location of meeting) for the purpose of discussing these matters further.

After discussing the issues we will complete a learner review record which will be recorded, filed and also added to ProMonitor.

Please contact me if you are unable to make the proposed meeting as soon as possible so we can make alternative arrangements.

Yours sincerely

NAME

JOB TITL

Appendix 5a (remove this)

Letter Reference

Date

«Contact_1_Name»

«Address_1»

«Address_2»

«Address_3»

Dear «Contact_1_Name»

Re: Stage One Verbal Warning

Thank you for attending the meeting on (Insert date of the meeting).

As discussed (you or name of learner if addressed to a parent/carers) (have or has) been issued with a Stage One Verbal Warning. The stage one warning was issued due to (Insert date).

As discussed in the meeting the following actions were agreed:

-
-
-

The listed actions will be reviewed on a daily basis with (you or name of learner) and a final review will be completed within two weeks of the meeting. As agreed in the meeting, the review will take place on (add date, time and location).

We will liaise with you via telephone to keep you updated on Actual Forename progress, please do not hesitate to contact us for additional updates. Only add this sentence if going to a parent/carers/employer.

As discussed the Stage One Verbal Warning forms part of the Group Learner Behaviour and Disciplinary Policy. If the targets are not successfully met we will look at an additional meeting to review the next steps.

The College Behaviour and Disciplinary Policy can be viewed at www.hull-college.ac.uk, alternatively a copy can be sent by post on request.

Yours sincerely

NAME

JOB TITLE

Appendix 5b

Letter Reference

Date

Contact name

Address 1

Address 2

Address 5

Dear Contact name

Re: Stage One Verbal Warning (Review of Actions)

We are writing to update you on the progress (add you or name of learner if going to a parent/carer) has or have made against the actions agreed in the Stage One meeting on (add date and time).

As discussed (add you or name of learner if going to a parent/carer) were or was issued with a Stage One Verbal Warning. The stage one warning was issued due to xxxxxx.

As discussed in the meeting the following actions were agreed:

- 1
- 2
- 3
- 4

At (add your or name of learner if going to a parent/carer) review on the (add date and time) we reviewed the tutor report, Lead Mentor report and the actions.

Choose options below:

(add you or name of learner if going to a parent/carer) have or has shown positive progress on all actions and we are pleased to sign off the actions given. A record of this stage and outcome will be kept on file.

(add you or name of learner if going to a parent/carer) have or has shown positive progress in some areas, although we will be extending the action plan to monitor behaviour within the following areas:

- 1
- 2
- 3
- 4

A record of this stage and outcome will be kept on file.

(add you or name of learner if going to a parent/carer) have or has unfortunately shown no positive progress against actions set and the expectations required. We will now be moving to the next stage of the formal behaviour system which is a Stage Two Formal Written warning. We would like to arrange a meeting with you on (add date, time and location) to action and discuss add your or name of learner if going to a parent/carer behaviour development.

Yours sincerely

NAME

JOB TITLE

Appendix 6 (remove this)

Letter Reference

Date

«Contact_1_Name»

«Address_1»

«Address_2»

«Address_3»

Dear «Contact_1_Name»

Re: Invitation to Stage Two Written Warning Meeting

I am writing to you in connection with (your behaviour **or** add name of learner if addressed to a parent) and conduct while at College. I am concerned about an incident relating to (item, issues, problem, etc).

(You **or** name of learner) (are or is) at Stage Two of the Group Learner Behaviour and Disciplinary Policy. In order to address this problem and discuss these difficulties you are invited to attend a Stage Two meeting in accordance with the agreed Learner Behaviour and Disciplinary Policy, on (Date of meeting) at (Time of meeting) in (Room/location of meeting) for the purpose of discussing these matters further.

As this is a matter which is likely to involve a written warning, (you **or** name of learner) may be accompanied to the interview by a parent, carer, employer or friend.

After discussing your case we will complete a learner review record which will be recorded, filed and also added to ProMonitor.

Please contact me if you are unable to make the proposed meeting as soon as possible so we can make alternative arrangements.

Yours sincerely

NAME

JOB TITLE

Appendix 6a (remove this)

Letter Reference

Date

«Contact_1_Name»

«Address_1»

«Address_2»

«Address_3»

Dear «Contact_1_Name»

Re: Stage Two Written Warning

Thank you for attending the meeting on xxxxxxxx.

As discussed (you or name of learner) (have or has) been issued with a Stage Two Written Warning. The stage two warning was issued due to xxxxxx.

As discussed in the meeting the following actions were agreed:

-
-
-

The listed actions will be reviewed on a daily basis with (you or name of learner) and a final review will be completed within two weeks of the meeting. As agreed in the meeting, the review will take place on (add date, time and location).

We will liaise with you via telephone to keep you updated on Actual Forename progress, please do not hesitate to contact us for additional updates. Only add this sentence if going to a parent/carer/employer.

As discussed the Stage Two Written Warning forms part of the Formal Behaviour and Disciplinary Policy, if the targets are not successfully met we will look at an additional meeting to review the next steps.

The College Behaviour and Disciplinary Policy can be viewed at www.hull-college.ac.uk, alternatively a copy can be sent by post on request.

Yours sincerely

NAME

JOB TITLE

Appendix 6b

Letter Reference

Date

«Contact_1_Name»

«Address_1»

«Address_2»

«Address_3»

Dear «Contact_1_Name»

Re: Stage Two Written Warning (Review of Actions)

We are writing to update you on the progress (add you or name of learner if going to a parent/carer) has or have made against the actions agreed in the Stage Two meeting on (add date and time).

As discussed (add you or name of learner if going to a parent/carer) were or was issued with a Stage Two Written Warning. The stage two warning was issued due to xxxxxx.

As discussed in the meeting the following actions were agreed:

- 1
- 2
- 3
- 4

At (add your or name of learner if going to a parent/carer) review on the (add date and time) we reviewed the Curriculum Leader report and the actions.

Choose options below:

(add you or name of learner if going to a parent/carer) have or has shown positive progress on all actions and we are pleased to sign off the actions given. A record of this stage and outcome will be kept on file.

(add you or name of learner if going to a parent/carer) have or has shown positive progress in some areas, although we will be extending the action plan to monitor behaviour within the following areas:

- 1
- 2
- 3

A record of this stage and outcome will be kept on file.

(add you or name of learner if going to a parent/carer) have or has unfortunately shown no positive progress against actions set and the expectations required. We will now be moving to the next stage of the formal behaviour system which is a Stage Three Formal Written warning. We would like to arrange a meeting with you on (add date, time and location) to action and discuss add your or name of learner if going to a parent/carer behaviour development.

Yours sincerely

NAME

JOB TITLE

Appendix 7 (remove this)

Letter Reference

Date

«Contact_1_Name»

«Address_1 »

«Address_2 »

«Address_3 »

Dear «Contact_1_Name»

Re: Invitation to Stage Three Written Warning Meeting

I am writing to you in connection with (your behaviour or add name of learner if addressed to a parent) and conduct while at College. I am concerned about an incident relating to (item, issues, problem, etc).

(You or name of learner) (are or is) at Stage Three of the Group Learner Behaviour and Disciplinary Policy. In order to address this problem and discuss these difficulties you are invited to attend a Stage Three meeting in accordance with the agreed Group Learner Behaviour and Disciplinary Policy, on (Date of meeting) at (Time of meeting) for the purpose of discussing these matters further. Please report to reception on arrival.

As this is a matter which is likely to involve a written warning and disciplinary action, (you or name of learner) may be accompanied to the interview by a parent, carer, employer or friend.

After discussing your case we will complete a learner review record which will be recorded, filed and also added to ProMonitor.

Please contact me if you are unable to make the proposed meeting as soon as possible so we can make alternative arrangements.

Yours sincerely

NAME

JOB TITLE

Appendix 7a (remove this)

Letter Reference

Date

«Contact_1_Name»

«Address_1»

«Address_2»

«Address_3»

Dear «Contact_1_Name»

Re: Stage Three Written Warning

Thank you for attending the meeting on xxxxxxxx.

As discussed (you or name of learner) (have or has) been issued with a Stage Three Written Warning. The stage three warning was issued due to xxxxxxxx.

As discussed in the meeting the following actions were agreed:

- 11.
- 12.
- 13.

The listed actions will be reviewed on a daily basis with (you or name of learner) and a final review will be completed within two weeks of the meeting. As agreed in the meeting, the review will take place on (add date, time and location).

We will liaise with you via telephone to keep you updated on Actual Forename progress, please do not hesitate to contact us for additional updates. Only add this sentence if going to a parent/carer/employer.

As discussed the Stage Three Written Warning forms part of the Learner Behaviour and Disciplinary Policy, if the targets are not successfully met we will look at an additional meeting to review the next steps. Please be aware that the next stage could lead to or be exclusion.

The Group Learner Behaviour and Disciplinary Policy can be viewed at www.hull-college.ac.uk, alternatively a copy can be sent by post on request.

Yours sincerely

NAME

JOB TITLE

Appendix 7b

Letter Reference

Date

«Contact_1_Name»

«Address_1»

«Address_2»

«Address_3»

Dear «Contact_1_Name»

Re: Stage Three Written Warning (Review of Actions)

We are writing to update you on the progress (add you or name of learner if going to a parent/carer) has or have made against the actions agreed in the Stage Three meeting on (add date and time).

As discussed (add you or name of learner if going to a parent/carer) were or was issued with a Stage Three Written Warning. The stage three warning was issued due to xxxxxx.

As discussed in the meeting the following actions were agreed:

- 1
- 2
- 3
- 4

At (add your or name of learner if going to a parent/carer) review on the (add date and time) we reviewed the Head of School report and the actions.

Choose options below:

(add you or name of learner if going to a parent/carer) have or has shown positive progress on all actions and we are pleased to sign off the actions given. A record of this stage and outcome will be kept on file.

(add you or name of learner if going to a parent/carer) have or has shown positive progress in some areas, although we will be extending the action plan to monitor behaviour within the following areas:

- 1
- 2
- 3

A record of this stage and outcome will be kept on file.

(add you or name of learner if going to a parent/carer) have or has unfortunately shown no positive progress against actions set and the expectations required. In accordance with the policy I will be making a recommendation to the Principal/Deputy Chief Executive for Exclusion and you will receive a letter in due course.

Yours sincerely

NAME

JOB TITLE

Appendix 8 (FE/HE Only)

Letter Reference

Date

«Contact_1_Name»

«Address_1»

«Address_2»

«Address_3»

Dear «Contact_1_Name»

Re: Permanent Exclusion

I am writing to inform you that you have been permanently excluded from your studies with us. This decision has been made for a number of reasons:

Reason

Reason

Reason

As per our Learner Behaviour and Disciplinary Policy you have the right to appeal this decision. Should you wish to make an appeal please write to the Hull College Group Chief Executive, Gary Warke, within 10 days of receipt of this letter. Contact details are:

**Hull College Group
Queens Gardens
Wilberforce Drive
Hull
HU1 3DG**

Any decision made at the appeal stage will be final.

Yours sincerely

Name

Principal (add college)

Appendix 9 (FE/HE Only)

Letter Reference

Date

«Contact_1_Name»

«Address_1 »

«Address_2 »

«Address_3 »

Dear «Contact_1_Name»

Re: Formal Suspension from College

I am writing to formally inform you after our verbal discussion on (add date) that you have been suspended from College as a precautionary measure pending the outcome of a full investigation following serious allegations that have been made against you.

During the course of your suspension you must not attempt to enter any of the College premises, unless invited to do so by the investigating officer. The investigation will be completed as quickly as possible and in the meantime you are able to continue to access the College's on-line resources via Moodle to support the continuation of your studies during this period.

The investigating officer will contact you in due course to invite you to discuss the allegations and you will be entitled to be accompanied by a family member, or friend.

Yours sincerely

Add Name

Head of School/Duty Manager

Copy to parent/carer/employer (where necessary – check learning agreement)

Appendix 10 (FE/HE Only)

Letter Reference

Date

«Contact_1_Name»

«Address_1»

«Address_2»

«Address_3»

Dear «Contact_1_Name»

Re: Invite to Investigation Meeting

Following your recent suspension from College, I am writing to inform you, as the investigating officer, that I will be leading the investigation on the serious incident you have been involved in on the (add date)

For me to carry out my investigation I would like to meet with you to discuss your involvement. The meeting will be with myself and (name and title of appropriate member of staff). The meeting is scheduled to take place on (add date, time and location).

Please report to reception on your arrival and please set aside one hour for this meeting.

If you would like to bring someone to this meeting (parent/carer or other appropriate representative) you are welcome to do so and if you have any questions prior to this meeting, please do not hesitate to contact me.

Yours sincerely

Name

Group Head of Learner Services

Copy to parent/carer/employer (where necessary – check learning agreement)

Appendix 11 (FE/HE Only)

Letter Reference

Date

«Contact_1_Name»

«Address_1»

«Address_2»

«Address_3»

Dear «Contact_1_Name»

Re: Outcome of Suspension and Investigation Meeting

Thank you for attending the disciplinary investigation meeting on the (add date) with myself and (add name and title).

Add summary of incident and outcome is.

Outcome options are:

You will resume your studies on (add day, date and time) and you are now at stage three for the disciplinary procedure.

As part of the conditions of your return to study, you must engage in the following: Add condition
Add condition

Or

I am writing to inform you that you have been permanently excluded from your studies with us. This decision has been made for a number of reasons:

Reason

Reason

Reason

As per our Learner Behaviour and Disciplinary Policy you have the right to appeal this decision. Should you wish to make an appeal please write to the Hull College Group Chief Executive, Gary Warke, within 10 days of receipt of this letter. Contact details are:

Hull College Group
Queens Gardens
Wilberforce Drive
Hull
HU1 3DG

Any decision made at the appeal stage will be final.

Yours sincerely

Name

Group Head of Learner Services or Principal (depending on outcome)

Copy to parent/carer/employer (where necessary – check learning agreement)

Appendix 12 (FE/HE Only)

Letter Reference

Date

«Contact_1_Name»

«Address_1»

«Address_2»

«Address_3»

Dear «Contact_1_Name»

Re: Invitation to Permanent Exclusion Appeal Hearing

Thank you for your letter of appeal dated (add date), which was received on (add date). In your letter, you have provided detail about your case for appeal against the decision that was made to exclude you from your studies at College.

As per our policy you have the right of appeal and are therefore invited to an appeal hearing where your case will be heard to by the Hull College Group's Chief Executive, Michelle Swithenbank. Michelle will be joined by at least one other member of staff (and no more than two) to form the appeal panel. All staff on the panel will be independent to your case and the process leading up to your withdrawal.

During this hearing you will have the opportunity to present your case and the Principal/Chief Executive (add name), who made the decision to exclude you from your studies, will also be in attendance, where they will have the opportunity to present their reasons for your exclusion.

You are welcome to bring someone with you to the hearing.

The meeting will take place on (date, time and location). Please report to reception on your arrival, where someone will collect you and take you to the hearing room.

Please could you confirm your attendance to the hearing via e-mail or telephone and should you wish to discuss anything further prior to this meeting, please do not hesitate to contact me.

Yours sincerely

Name

Personal Assistant to the Hull College Group Chief
Executive (add contact details)

Copy to parent/carer/employer (where necessary – check learning agreement)

Appendix 13 (FE/HE Only)

Letter Reference

Date

«Contact_1_Name»

«Address_1»

«Address_2»

«Address_3»

Dear «Contact_1_Name»

Re: Appeal Hearing Final Outcome

Thank you for attending your learner permanent exclusion appeal hearing on (add date).

Add summary and outcome.

Yours sincerely

Michelle Swithenbank
Chief Executive

Copy to parent/carer/employer (where necessary – check learning agreement)

Appendix 14 (14-16 College)

Letter Reference

DATE

Parent/Guardian of «Actual_Forename»

«Actual_Surname» «Address_1»

«Address_2»

«Address_3»

«Address_4»

Dear Parent/Guardian

Re: Fixed Term Exclusion

I am writing to inform you of my decision to exclude Actual Forename Actual Surname for a fixed period of xxx days. This means that Actual Forename will not be allowed in the College for this period. The exclusion begins on xxxx and ends on xxxx.

I realise that this exclusion may well be upsetting for you and your family, but the decision to exclude Actual Forename has not been taken lightly. Actual Forename has been excluded for this period because of xx.

You have a duty to ensure that your child is not present in a public place in College hours during this exclusion between xxx and xxx unless there is reasonable justification for this. I must advise that you may receive a penalty notice from the local authority if your child is present in a public place during College hours on the specified dates. If so, it will be for you to show reasonable justification.

You have the right to make representation to the Disciplinary Committee. If you wish to make representations please contact Chief Executive's PA, Hull College, Queens Gardens, Hull, HU1 3DG as soon as possible. Whilst the Disciplinary Committee has no power to direct reinstatement, they must consider any representations you make and may place a copy of their findings on your child's College record.

You should also be aware that if you think the exclusion relates to a disability your child has, and you think disability discrimination has occurred, you have the right to appeal, and/or make a claim, to the Special Educational Needs and Disability Tribunal (SENDIST). The address to which appeals should be sent is SENDIST, 1st Floor Darlington Magistrates Court, Parkgate, Darlington DL1 1RU. Please note a source of free and impartial information is available at www.education.gov.uk (exclusion guidance), Coram Children's Legal Centre on 08088 020 008, www.childrenslegalcentre.com, www.parentpartnership.org.uk.

You and Actual Forename are requested to attend a reinstatement interview with xxxxxxxx on xxxxxxxxxxxx. The purpose of the reinstatement interview is to discuss behaviour leading to the exclusion and how if appropriate, return to the College can be managed. Failure to attend a reinstatement interview will be a factor taken into account by a magistrates court if, on future application, they consider whether to impose a parenting order on you.

You also have the right to see a copy of Actual Forename College record. Due to confidentiality restrictions, you will need to notify me in writing if you wish to be supplied with a copy of Actual Forename College records. I will be happy to supply you with a copy if you request it. There may be a charge for photocopying.

Yours sincerely

Name

Head of 14-16 College

Copy – Principal PA

Appendix 15 (14-16 College)

Letter Reference

DATE

Parent/Guardian of Actual Forename Actual Surname

Address_1 »

«Address_2»

«Address_3»

«Address_4»

Dear Parent/Guardian

Re: Fixed Term Exclusion

I am writing to inform you of my decision to exclude Actual Forename Actual Surname for a fixed period of xxx days. This means that Actual Forename will not be allowed in the College for this period. The exclusion begins on xxxx and ends on xxxx.

I realise that this exclusion may well be upsetting for you and your family, but the decision to exclude Actual Forename has not been taken lightly. Actual Forename has been excluded for this period because of xx.

You have a duty to ensure that your child is not present in a public place in College hours during this exclusion between xxx and xxx unless there is reasonable justification for this. I must advise that you may receive a penalty notice from the local authority if your child is present in a public place during College hours on the specified dates. If so, it will be for you to show reasonable justification.

You have the right to make representation to the Disciplinary Committee. If you wish to make representations please contact Deputy Chief Executive's PA, Hull College, Queens Gardens, Hull, HU1 3DG as soon as possible. Whilst the Disciplinary Committee has no power to direct reinstatement, they must consider any representations you make and may place a copy of their findings on your child's College record.

You should also be aware that if you think the exclusion relates to a disability your child has, and you think disability discrimination has occurred, you have the right to appeal, and/or make a claim, to the Special Educational Needs and Disability Tribunal (SENDIST). The address to which appeals should be sent is SENDIST, 1st Floor Darlington Magistrates Court, Parkgate, Darlington DL1 1RU. Please note a source of free and impartial information is available at www.education.gov.uk (exclusion guidance), Coram Children's Legal Centre on 08088 020 008, www.childrenslegalcentre.com, www.parentpartnership.org.uk.

You and Actual Forename are requested to attend a reinstatement interview with xxxxxxxx on xxxxxxxxxx. The purpose of the reinstatement interview is to discuss behaviour leading to the exclusion and how if appropriate, return to the College can be managed. Failure to attend a reinstatement interview will be a factor taken into account by a magistrates court if, on future application, they consider whether to impose a parenting order on you.

You also have the right to see a copy of Actual Forename College record. Due to confidentiality restrictions, you will need to notify me in writing if you wish to be supplied with a copy of Actual Forename College records. I will be happy to supply you with a copy if you request it. There may be a charge for photocopying.

Yours sincerely

Name

Head of 14-16 College

Copy – Principal PA

Appendix 16 (14-16 College)

REF

LETTER DATE

Recipient's name
Address block
Address block
Address block
Postcode

Dear Recipients name

Re: Permanent Exclusion

I am writing to inform you of my decision to exclude your child, add name from the 14-16 College permanently. This is effective from DATE 1.

This decision has not been taken lightly and the reasons for this are:

(add reasons)

You have a duty to ensure that your child is not present in a public place in school hours during the first five days of this exclusion, i.e. from DATE 1 up to and including (date of the 5th day), unless there is reasonable justification. You could be prosecuted or receive a penalty notice if your child is present in a public place during school hours on these dates, it will be for you to show reasonable justification.

Alternative arrangements for your child's education to continue will be made. For the first five school days of the exclusion, we will set work and would ask you to ensure this work is completed and returned promptly to school for marking. From the sixth school day of the exclusion onwards, (Date of the 6th day) onwards, Hull City Council will provide suitable full-time education; you will be notified of these arrangements shortly.

As this is a permanent exclusion, the College Permanent Exclusion Committee must meet to consider it. At the hearing you may make representations to the Committee, if you wish, and ask them to reinstate your child in the College. The College Permanent Exclusion Committee have the power to reinstate your child immediately from a specified date, or alternatively, they have the power to uphold the exclusion in which case you may appeal against their decision to an Independent Review Panel. The latest date by which the College Permanent Exclusion Committee must meet is add date. The date for the 'Hearing' is (add date and time), if you wish to make representation to the College Permanent Exclusion Committee and wish to be accompanied by a friend or representative please contact Chief Executive's PA, Hull College, Queens Gardens, Hull, HU13DG, (telephone number 01482 598830) as soon as possible. Whether or not you choose to make representations, you will be notified in writing of the decision of the Committee.

Please let us know if you have a disability or special needs, which would affect your ability to attend the meeting. Also, please inform the Clerk (the Principal/ Chief Executive's PA) if it would be helpful for you to have an interpreter present at the meeting.

If you think the exclusion relates to a disability your child has and you think disability discrimination has occurred, you have the right to appeal, and/or make a claim to the Special Educational Needs and Disability Tribunal (SENDIST). The address to which appeals should be sent is SENDIST, 1st Floor Darlington Magistrates Court, Parkgate, Darlington DL1 1RU. External information and guidance on exclusions is also available at www.education.gov.uk (exclusion guidance), Coram Children's Legal Centre on 0808 802 0008, www.childrenslegalcentre.com, www.parentpartnership.org.uk.

You have the right to see a copy of (add learner name) 14-16 College record. Confidentiality restrictions mean that you must notify me in writing if you wish to be supplied with a copy, I will be happy to supply this if you request it, there may be a charge for photocopying.

You may wish to contact **the Admissions Team at the Hull Local Authority, telephone number 01482 300300, for advice on what options are available to you.** Additionally you may find it useful to contact the Advisory Centre for Education (ACE), an independent national advice centre for parents in state schools. They offer information and support on state education in England and Wales, including advice on exclusion from school. They can be contacted at www.ace-ed.org.uk.

Yours sincerely

Principal

Appendix 17 (14-16 College)

REF

LETTER DATE

Recipient's name
Address block
Address block
Address block
Postcode

Dear Recipients name

Re: Permanent Exclusion

I am writing to inform you of my decision to exclude your child, add name from the 14-16 College permanently. This is effective from DATE 1.

This decision has not been taken lightly and the reasons for this are:

(add reasons)

You have a duty to ensure that your child is not present in a public place in school hours during the first five days of this exclusion, i.e. from DATE 1 up to and including DATE of the 5th day, unless there is reasonable justification. You could be prosecuted or receive a penalty notice if your child is present in a public place during school hours on these dates, it will be for you to show reasonable justification.

Alternative arrangements for your child's education to continue will be made. For the first five school days of the exclusion, we will set work and would ask you to ensure this work is completed and returned promptly to school for marking. From the sixth school day of the exclusion onwards, DATE of 6th day onwards, Hull City Council will provide suitable full-time education; you will be notified of these arrangements shortly.

As this is a permanent exclusion, the College Permanent Exclusion Committee must meet to consider it. At the hearing you may make representations to the Committee, if you wish, and ask them to reinstate your child in the College. The College Permanent Exclusion Committee have the power to reinstate your child immediately from a specified date, or alternatively, they have the power to uphold the exclusion in which case you may appeal against their decision to an Independent Review Panel. The latest date by which the College Permanent Exclusion Committee must meet is add date. The date for the 'Hearing' is add date and time, if you wish to make representation to the College Permanent Exclusion Committee and wish to be accompanied by a friend or representative please contact Chief Executive's PA, Hull College, Queens Gardens, Hull, HU1 3DG, (telephone number 01482 598830) as soon as possible. Whether or not you choose to make representations, you will be notified in writing of the decision of the Committee.

Please let us know if you have a disability or special needs, which would affect your ability to attend the meeting. Also, please inform the Clerk (the Chief Executive's PA) if it would be helpful for you to have an interpreter present at the meeting.

If you think the exclusion relates to a disability your child has and you think disability discrimination has occurred, you have the right to appeal, and/or make a claim to the Special Educational Needs and Disability Tribunal (SENDIST). The address to which appeals should be sent is SENDIST, 1st Floor Darlington Magistrates Court, Parkgate, Darlington DL1 1RU. External information and guidance on exclusions is also available at www.education.gov.uk (exclusion guidance), Coram Children's Legal Centre on 0808 802 0008, www.childrenslegalcentre.com, www.parentpartnership.org.uk.

You have the right to see a copy of (add learner name) 14-16 College record. Confidentiality restrictions mean that you must notify me in writing if you wish to be supplied with a copy, I will be happy to supply this if you request it, there may be a charge for photocopying.

You may wish to contact **the Admissions Team at the Hull Local Authority, telephone number 01482 392254, for advice on what options are available to you.** Additionally you may find it useful to contact the Advisory Centre for Education (ACE), an independent national advice centre for parents in state schools. They offer information and support on state education in England and Wales, including advice on exclusion from school. They can be contacted at www.ace-ed.org.uk.

Yours sincerely

Principal

Appendix 18 (14-16 College)

REF

LETTER DATE

Recipient's name
Address block
Address block
Address block
Postcode

Dear Recipients name

Re: The Permanent Exclusion Committee of Hull College Group
Permanent Exclusion of (add pupil' s name)

I refer to the meeting of the Permanent Exclusion Committee held on (day, date, month and year) and wish to inform you that, after carefully considering the representations made and all available evidence, the committee has decided to uphold the permanent exclusion of your child.

The decision to exclude (add pupil's name) was taken for the following reasons: Detail the reasons
You have the right to ask for the decision to be reviewed by an Independent Review Panel (IRP). If you wish to apply for a review of the decision, please notify **the Admissions Team at Children and Young People's Services, 2nd Floor, The Treasury Building, Guildhall Road, Kingston upon Hull, HU1 2AB**. Your application must set out the grounds on which it is being made and, if appropriate, this should include a reference to how the pupil's special educational needs are considered to be relevant to the exclusion; please send the application for review no later than (day, date, month and year). If you have not lodged an application by this date, your right to ask for a review will lapse.

I should advise that, regardless of whether your child has recognised special educational needs (SEN), you have a right to require the Local Authority/Academy Trust to appoint a SEN expert to attend the review. The SEN expert's role is similar to an expert witness, providing impartial advice to the panel on how special educational needs might be relevant to the exclusion. They should base their advice on the evidence provided to the panel. The role does not include making an assessment of the pupil's special educational needs. Should you wish to avail yourself of this right, it is requested that, in your application for a review, you make clear your wish for a SEN expert to be appointed.

At the review, you may, at your own expense, appoint someone to make written and/or oral representations to the panel and you may also be accompanied by a friend. Please advise if you have a disability or special needs which would affect your ability to attend the hearing, or if it would be helpful for you to have an interpreter present at the hearing.

The review will be heard by an Independent Review Panel, usually a three member panel, comprising of one serving or recently retired (within the last 5 years) head teacher, one serving or recently serving experienced governor (for at least 12 consecutive months in the last 5 years) and one lay member who will be the chair. The panel will review the governing body's decision not to

reinstate a permanently excluded pupil. The panel must meet no later than the 15th school day after the date on which your application for review is lodged.

Following its review, the panel can make one of three decisions: they may uphold your child's exclusion; recommend that the governing body reconsiders their decision; or they may quash the decision and direct that the governing body considers the exclusion again.

In addition to your right to apply for an independent review panel, should you believe that the exclusion has occurred as a result of discrimination, you may make a claim under the Equality Act 2010 to the First-tier tribunal, in the case of disability discrimination, or the County Court, in the case of other forms of discrimination. A claim made under either of these routes should be lodged within six months of the date on which the discrimination is alleged to have taken place.

I would like to advise you of the following sources of advice and support:

- statutory guidance on exclusions
www.education.gov.uk/schools/pupilsupport/behaviour/exclusion
- guidance on making a claim of discrimination to the First-tier Tribunal
www.justice.gov.uk/tribunals/send/appeals □
- the Coram Children's Legal Centre www.childrenslegalcentre.com 08088 020 008 □□
- Independent Education Advisory Service, <http://independenteducationconsultants.co.uk/> □
- Advisory Centre for Education, telephone 020 7704 9822 □

The arrangements currently being made for (name) education will continue for the time being. However, new arrangements to provide full-time education for (name) are being made and you will shortly receive a letter from the local authority with further details.

Yours sincerely

Michelle Swithenbank
Chief Executive

Copy

Appendix 19 (14-16 College)

REF

LETTER DATE

Recipient's name

Address block

Address block

Address block

Postcode

Dear Recipients name

Re: The Permanent Exclusion Committee of Hull College Group
Permanent Exclusion of (add pupil's name)

I refer to the meeting of the Permanent Exclusion Committee held on (day, date, month and year) and wish to inform you that, after carefully considering the representations made and all available evidence, the committee has decided to uphold the permanent exclusion of your child.

The decision to exclude (add pupil's name) was taken for the following reasons:

Detail the reasons

You have the right to ask for the decision to be reviewed by an Independent Review Panel (IRP). If you wish to apply for a review of the decision, please notify **the Admissions Team at Children and Young People's Services, 2nd Floor, The Treasury Building, Guildhall Road, Kingston upon Hull, HU1 2AB**. Your application must set out the grounds on which it is being made and, if appropriate, this should include a reference to how the pupil's special educational needs are considered to be relevant to the exclusion; please send the application for review no later than (day, date, month and year). If you have not lodged an application by this date, your right to ask for a review will lapse.

I should advise that, regardless of whether your child has recognised special educational needs (SEN), you have a right to require the Local Authority/Academy Trust to appoint a SEN expert to attend the review. The SEN expert's role is similar to an expert witness, providing impartial advice to the panel on how special educational needs might be relevant to the exclusion. They should base their advice on the evidence provided to the panel. The role does not include making an assessment of the pupil's special educational needs. Should you wish to avail yourself of this right, it is requested that, in your application for a review, you make clear your wish for a SEN expert to be appointed.

At the review, you may, at your own expense, appoint someone to make written and/or oral representations to the panel and you may also be accompanied by a friend. Please advise if you have a disability or special needs which would affect your ability to attend the hearing, or if it would be helpful for you to have an interpreter present at the hearing.

The review will be heard by an Independent Review Panel, usually a three member panel, comprising of one serving or recently retired (within the last 5 years) head teacher, one serving or recently serving experienced governor (for at least 12 consecutive months in the last 5 years) and one lay member who will be the chair. The panel will review the governing body's decision not to reinstate a permanently excluded pupil. The panel must meet no later than the 15th school day after the date on which your application for review is lodged.

Following its review, the panel can make one of three decisions: they may uphold your child's exclusion; recommend that the governing body reconsiders their decision; or they may quash the decision and direct that the governing body considers the exclusion again.

In addition to your right to apply for an independent review panel, should you believe that the exclusion has occurred as a result of discrimination, you may make a claim under the Equality Act 2010 to the First-tier tribunal, in the case of disability discrimination, or the County Court, in the case of other forms of discrimination. A claim made under either of these routes should be lodged within six months of the date on which the discrimination is alleged to have taken place.

I would like to advise you of the following sources of advice and support:

- statutory guidance on exclusions
www.education.gov.uk/schools/pupilsupport/behaviour/exclusion
- guidance on making a claim of discrimination to the First-tier Tribunal
www.justice.gov.uk/tribunals/send/appeals
- the Coram Children's Legal Centre www.childrenslegalcentre.com 08088 020 008
- Independent Education Advisory Service, <http://independenteducationconsultants.co.uk/>
- Advisory Centre for Education, telephone 020 7704 9822

The arrangements currently being made for (name) education will continue for the time being. However, new arrangements to provide full-time education for (name) are being made and you will shortly receive a letter from the local authority with further details.

Yours sincerely

Michelle Swithenbank
Chief Executive

Copy

Appendix 20

PERMANENT EXCLUSION PANEL

PROCEDURE FOR THE MEETING OF AN EXCLUSION COMMITTEE

1. Introduction by the clerk.
2. Presentation of the case by the Principal
3. Questions by the person(s) with parental responsibility (and/or representative) and members of the College Committee on matters of fact.
4. Statements by the person(s) with parental responsibility (or representative).
5. Questions by the Committee and Principal on matters of fact.
6. *Statement by the Local Authority representative (if present).*
7. *Questions by the parents, Committee and Principal if a Local Authority representative is present.*
8. Opportunity for Principal to make a final statement.
9. Opportunity for person(s) with parental responsibility (and/or representative) to make a final statement.
10. Withdrawal by the Principal, person(s) with parental responsibility (and/or representative) and Local Authority officer (if present) while Committee consider the matter.
11. Consideration of the matter by the Committee in the presence of the clerk. In the event that further information is needed from any of the persons who have left the meeting then all such persons should return to the meeting when such information is being obtained. An opportunity should be given to each party to question or comment upon this additional information.

Appendix 21 Exclusion Case Presentation Template (as a cover on the pack of evidence)

NAME OF LEARNER - Exclusion (Record of Action/Timeline of Events)

Summary

Provide a summary of the case in no more than 200 words. Describe key incidents leading to the decision to exclude.

Contents (in order of events):

PAGE No.

Evidence

A copy of the Group's Learner Behaviour and Disciplinary Policy is available via the intranet

