

BISHOP BURTON

College



FURTHER EDUCATION COLLEGE CHARTER 2023 / 24

Growing potential for sustainable futures

FE College Charter

Including:

- Student Code of Conduct
- Academic Regulations
- Disciplinary Procedure

2023-24

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FURTHER EDUCATION COLLEGE CHARTER

The College mission is 'Growing potential for sustainable futures'

The College Values are:

- First class, first choice technical education
- Respect for each other and for our environment
- A positive, 'Can Do' attitude
- Striving for excellence in all that we do

We believe the commitments made in the Charter by both the College and the Student will help to deliver this mission.

College Commitment

A commitment by the College to provide efficient and effective enquiry, application, and enrolment process, and a teaching and learning programme that informs, inspires and supports each individual Student.

Student Commitment

A commitment by each Student to fully participate in their course programme through excellent attendance at, and engagement with, class work and assessments, and abide by all the regulations that apply to the College campus and to academic programmes.

1 When you enrol on a College programme, we will provide the following services:

1.1 Quality Teaching, Instruction and Assessment

- 1.2 Prompt attendance by teaching and support staff.
- 1.3 An induction to your course ensuring that you have the information you need to proceed with your studies.
- 1.4 Appropriate guidance on Health and Safety, Careers Advice & Guidance, Equality & Diversity, Healthy Lifestyle and Safeguarding.
- 1.5 A set of agreed learning targets to help you fulfil your potential.
- 1.6 A clear assessment plan and details of any assignment hand-in requirements and tests or examinations.
- 1.7 Prompt return of assessed work with clear and helpful written feedback.
- 1.8 Regular tutorials for progress review, action planning and recording of achievement.
- 1.9 Appropriately equipped learning spaces and, where relevant, access to 'Real Working Environments' (RWEs).
- 1.10 Appropriately equipped resource centres suitable for supported self-study.
- 1.11 Access to Student support to assist you with any difficulties you may have.
- 1.12 The right to use the Appeals Procedure if you feel your assessment has been unfair.
- 1.13 An environment with appropriate recreational and social areas in which all members of the College will demonstrate respect for one another.
- 1.14 Support and advice from Student Services on transport, financial and accommodation and careers needs.
- 1.15 Access to a welfare team that includes Counsellors, Chaplain, Welfare Officer or an externally sourced support system.
- 1.16 The right to participate, through the "Student Voice" processes, in the evaluation of the services we provide.

2 As a Student, we expect you to:

- 2.1 Attend regularly, be punctual and let us know the reason immediately if you are absent from any aspect of your college course.
- 2.2 In the knowledge that you are a representative of the College, work and behave well, (in accordance with College Values) in all College situations both on and off site
- 2.3 Study to the best of your ability, and complete and hand in work by the deadlines agreed.
- 2.4 Comply with all health and safety regulations.
- 2.5 Use the College campus, estate, resources, equipment, and any offsite area visited with respect at all times.
- 2.6 Accept, and abide by, the College's Codes of Conduct, Policies and Disciplinary Regulations.
- 2.7 Pay all fees or charges by the due date. You will forfeit all rights to access College facilities and services if you have not paid all debts by the due date. If debts remain at the end of your studies you will not be able to attend the awards Ceremony.
- 2.8 Take responsibility for your own learning and, with your tutors, review and record your progress.
- 2.9 Respect other people, both on and off campus regardless of race, gender, disability, age, marital status, cultural background and sexual orientation.
- 2.10 Not to drop litter, leave tables un-cleared in the food halls or wear dirty footwear/work boots inside College buildings.
- 2.11 Smoke only in the designated smoking shelters (including Vaping).
- 2.12 Use Information Technology, including emails, web-based and social network sites in accordance with College guidelines.
- 2.13 Not, at any time, carry, or threaten to carry, anything intended for or likely to be seen as, a weapon.
- 2.14 Not, at any time, bring the College into disrepute

3 STUDENT CODE OF CONDUCT

You must:

- 3.1 Behave in a way that demonstrates understanding of, and commitment to, the College Values.
- 3.2 Be responsible and accountable for making the most of your time and opportunities whilst undertaking all aspects of your College course.
- 3.3 Behave in a way which respects the needs and aspirations of others to learn, work and live within the community of the College and its associated environment.
- 3.4 Follow recommendations, advice, requests and instructions given by College staff.
- 3.5 Comply with College regulations, policies and procedures.
- 3.6 Act at all times with due regard for your own safety and that of others.
- 3.7 Attend and be punctual for all timetabled activities, meetings or other College activities.
- 3.8 Complete all coursework, assessments and related work within the time stated.
- 3.9 Pay all monies owed to the College by the due date.
- 3.10 Behave in such a way at all times that does not bring the College into disrepute.
- 3.11 Carry and display your College lanyard and student ID card at all times.
- 3.12 Use, contribute or participate in social network sites only if you are clear that the content therein does not bring the College, its staff or other Students into disrepute.
- 3.13 Adhere to the College's policy on the use of mobile phones in lessons.

4 ACADEMIC REGULATIONS

4.1 Introduction

The following academic regulations and procedures apply to any person enrolled as an FE Student at the College regardless of location of study.

In certain matters the College is bound by the decisions and regulations of external bodies which override College regulations.

4.2 Admission

The Admissions Policy is available from Student Services or through curriculum staff.

4.3 Enrolment and Registration

In order to pursue a programme of study approved by the College, students will enrol with the College in accordance with College policy. Continuing students are required to re-enrol periodically as notified by the College, usually at the end of the first year of study.

4.4 Suspension and Termination of Enrolment and Registration

In the event of any breach of the Student Code of Conduct, the College will instigate the Student Disciplinary Procedure. This could lead to formal disciplinary action, such as a Verbal Warning, Written Warning, Final Warning, Suspension or Exclusion.

4.5 Transfer of Courses

Transfer of registration from one course to another may only take place with the written consent of both the Course Managers following consultation with the Deputy Principal or representative.

4.6 Assessment

The student assessment Procedure (excluding Higher Education) is available from Student Services or through curriculum staff.

4.7 Assessed Work

All assessed work will be kept in line with the regulations of the awarding body, funding agency or validating university. All other student work will be deleted at the end of the enrolment period.

5 DISCIPLINARY PROCEDURES

5.1 SCOPE AND PURPOSE

5.1.1 This procedure applies to all Students enrolled on Further Education courses with the college and is intended to;

- (i) help and encourage Students to achieve their qualification or award and benefit from their time at College.
- (ii) ensure consistent and fair treatment for all in relation to disciplinary action which has been taken in response to allegations of unacceptable conduct, behaviour or breach of the College Charter or Student Code of Conduct.

5.1.2 Exceptional Circumstances

There may be situations that prevent the College from pursuing the preferred model of student disciplinary management. The College believes face to face meetings are invaluable in supporting and influencing students.

Such exceptional circumstances may limit or remove the opportunity to engage with students, and those who support them, within a meeting environment.

A student who considers their situation requires an alternative to attending College for any aspect of the disciplinary process must apply to the Principal, stating their reasons and suggested alternatives for consideration. In most instances, any alternative to the process will be conducted via Teams or Zoom. The student may be asked to provide documentation to support their request.

(i) **Request to Alter Arrangements**

Request for alteration to the process must be made in writing, by the student, to the Principals office within 7 days of the receipt of the disciplinary meeting invitation will be confirmed in writing.

(ii) **Confirmation of Changes**

Confirmation of any alterations to the process, including the impact on timeframes, will be confirmed in writing to the student, with a copy to the NOK if under 18. The detail, including those in attendance at meetings will be considered and approved by the Principal in all instances. An agenda for the meeting will be circulated 3 days before the meeting.

5.2 GENERAL PRINCIPLES

- 5.2.1 Every effort will be made to avoid the use of disciplinary action where alternatives are appropriate. Students will have every opportunity to explore and gain understanding of the College's expectations during induction and on-going through their course. The College sets clear standards that are believed to enable all those that live, learn and work within the College do so confidently and safely. This document outlines the disciplinary processes and procedures for Further Education students enrolled at the College.
- 5.2.2 A Student is expected to be present at all meetings associated with the disciplinary process. Under 18 Students may be accompanied by a parent, guardian or carer (subject to prior agreement). Over 18-year-old Students may be accompanied by a member of College staff or a fellow Student over the age of 18 years, up to and including Final Written Warning stage. Prior agreement must be sought from the Principal should alternative attendees be required from those listed above. *See also 5.1.2 for Exceptional Circumstances.*
- 5.2.3 In the interest of ensuring that disciplinary matters are resolved as speedily as possible, time limits are given for appropriate stages in this procedure. However, it may not always be practical to adhere to these time limits in every case as some complex issues may take some time to resolve in the interests of thoroughness and rigour. Therefore, these time limits may be amended, whilst endeavouring to keep all parties informed of progress, and the College reserves the right of final resolution on this matter
- 5.2.4 Study tours and visits – Students on study tours and visits will be expected to comply with the expectations identified within the college Charter and code of conduct at all times. Should students fail to demonstrate expected levels of behaviour they may be required to travel home (at their own expense) prematurely.

- 5.2.5 Incidents occurring off site, except for those likely to bring the College into disrepute, will not be investigated. Students working on line, although “off-site” will be expected to comply with the College student code of conduct and the College values at all times. Any incidences of non-compliance being considered under the College Charter.
- 5.2.6 In administering the disciplinary procedures, the College will ensure that reasonable adjustments will be applied in instances where an individual may be at a disadvantage in comparison with other people. In line with the college Equality and Diversity Policy the College will eliminate unlawful discrimination, harassment and victimisation or any other conduct prohibited by the Equality Act 2010. The College will advance equality of opportunity between people who share a protected characteristic and those who do not share it. The disciplinary regulations will apply to all students including those with diagnosed health or learning difficulties. However, in such cases individual needs will be documented and reasonable adjustments will be made if considered appropriate by the College. Any adjustments to the disciplinary process itself will be confirmed in writing by the College at the outset.
- 5.2.7 Student Management Committee (SMC) – There may be occasions when an enrolled student does not meet the expectations and requirements identified within the Student Code of Conduct and, in such instances, the SMC may consider the situation and make recommendations and/or decisions in line with college policies. The decisions to refer any matters to the SMC is entirely at the discretion of the College and the College remains entitled to deal with matters in accordance with the College Disciplinary Procedure.

5.3 **INVESTIGATIONS**

- 5.3.1 The purpose of an investigation is to establish whether or not, in the opinion of the investigator, it is deemed to be appropriate to implement disciplinary proceedings. When an alleged disciplinary matter arises, the investigator will establish the facts as promptly as circumstances allow.
- 5.3.2 The Student/s will be informed that their conduct or behaviour is in question and of the allegations surrounding any incident or behaviour.
- 5.3.3 Wherever possible and/or appropriate, witnesses will be asked to make written statements and will be advised that they may subsequently be required to attend a disciplinary hearing / meeting. They will be warned that the matter is confidential and must not be discussed with anyone and that part or all of their statement may be reviewed during the disciplinary process.
- 5.3.4 If disciplinary action is recommended, then the procedure indicated below will be followed.

5.4 **STAGES OF THE PROCEDURE**

- 5.4.1 Action can be taken at any point in the procedure. This will be determined by the nature and seriousness of the allegation. For example, a Student may be moved straight to a Final Written Warning or even a Recommendation to Exclude.
- 5.4.2 At every stage of the procedure, the Student will be advised of the nature of the issue and will be given the opportunity to state their case before any decision is made.

5.4.3 Warnings remain on file for the duration of the course. However, in order to encourage students to maintain the expected level of behaviour the Head of Department or a CAM has the authority to recommend that students moving from one level to another or from a subsidiary to an extended Level 3 retain their warnings. The student will be notified in writing of this decision, parents will be copied in for under 18 students.

5.5 INFORMAL PROCEDURE

5.5.1 All staff employed by the College carry a responsibility for the management of Student discipline including informal disciplining of all Students. All issues will be recorded.

5.5.2 Every effort will be made to resolve matters by informal action and agreement with the Student and, if appropriate, with parents/guardians or carers.

5.5.3 Minor lapses from acceptable standards of conduct, whether behavioural or related to academic progress, will usually be dealt with through a tutorial at which targets and actions, including support systems will be agreed and recorded.

5.5.4 If sufficient progress is not then made the Course Manager will arrange a review meeting. At this meeting actions, which may include disciplinary actions, will be agreed.

5.5.5 **Verbal Warning**

Any member of staff may issue a Verbal Warning as part of the informal process. A Verbal Warning is intended to identify to the students the actions or behaviours that are not acceptable to the College. The Verbal Warning will also identify what is expected from the student in future. There is no appeal against this verbal warning.

Should a student receive two verbal warnings their progress and attitudes will be reviewed by the Head of Department or CAM who will, should a further incident occur, recommend that the student progresses on to the formal disciplinary stage if appropriate to do so.

5.5.6 **Verbal Warning - Exceptional Circumstances**

A student may be given a Verbal Warning after a First or Final Written Warning should their behaviour warrant it. Such exceptional circumstance should be following a minor or unrelated incident which did not justify moving straight onto the next, more serious, disciplinary level. In these instances, the student may appeal against a verbal warning.

If the Student's conduct does not meet acceptable standards, despite informal discussions and target setting then the following formal procedure will be used.

5.6 FORMAL PROCEDURE

There are three stages to the formal procedure, the first two being warnings and the third being exclusion.

All correspondence from these stages will be copied to the parents or guardians of those students aged under 18 years of age.

5.6.1 If the Student fails, without good reason, to attend a disciplinary meeting which the College has instructed him or her to attend, the meeting will take place and a decision will be made, in his or her absence.

5.6.2 **First Written Warning**

If conduct does not meet acceptable standards, the Student will be given a **First Written Warning** by a member of academic or support staff (See Appendix 2). The Student will be advised of the reason for the warning and that further misconduct will lead to a more serious disciplinary outcome.

5.6.3 The Student has the right to appeal against the First Written Warning.

5.6.4 **Final Written Warning**

A **Final Written Warning** will be given to the Student by a member of Staff (See Appendix 1) if:

- (i) the Student commits a serious offence of misconduct or the standard of his or her behaviour is seriously inadequate;
- (ii) the Student fails to comply with a previous Written Warning;
- (iii) or despite having been given a First Written Warning, the Student commits a further offence.

5.6.5 This Final Written Warning will give details of the concerns and the improvement required and the time limit within which issues or improvements must be achieved. The warning will state that, if the Student commits a further offence during the period specified, a Recommendation to Exclude will be made.

5.6.6 The Student has the right to appeal against the Final Written Warning.

5.6.7 **Recommendation to Exclude**

Following an investigation, a Recommendation to exclude a student may be made by a member of the Strategic Leadership Group, to the Principal.

5.6.8 The Student has the right to appeal against the Recommendation to Exclude, and must do so within 7 working days of the date on the letter from the Principal.

5.6.9 The decision to exclude a Student is made by the Principal or representative. A Student will normally be excluded if:

- (i) the Student fails to comply with a Final Written Warning;
- (ii) despite having been given a Final Written Warning the Student commits a further offence;
- (iii) the Student's misconduct is considered to be gross misconduct and to be serious enough to justify immediate exclusion;
- (iv) any appeal against the Recommendation to Exclude has not been upheld.

- 5.6.10 **Recommendation to permanently exclude from Residential accommodation**
Following an Investigation, a recommendation to exclude from residential accommodation may be made by a member of the Strategic Leadership Group to the Principal.

In these instances, the student will have failed to respond to the disciplinary processes, including the impact of a residential suspension, and will again have been in breach of the College Charter and or the Residential Agreement.

The time frames identified in 5.6.10 apply to this process.

A student excluded from the residential accommodation under this process will be due to pay the residential accommodation fees, as stated within their Residential Contract.

The outcome of this exclusion will not impact on the student's ability to continue on their course as a day student.

5.7 APPEALS AGAINST DISCIPLINARY PENALTIES

- 5.7.1 A Student who wishes to appeal against a Verbal Warning (see paragraph 5.5.6), a First Written Warning, a Final Written Warning or Recommendation to Exclude should inform the Principal in writing of the grounds of their appeal within 7 working days of the date of the decision. The appeal will be considered by either:

- (i) a person more senior than the person who conducted the investigation
- (ii) the Principal
- (iii) if the Principal was directly involved in the investigation then the appeal will be considered by a member of the College Executive or a representative from the Governing body.

- 5.7.2 Appeals will only be accepted:

- (i) from the student
- (ii) if the disciplinary process has not been followed
- (iii) if there is a factual error
- (iv) if the outcome of the process is inappropriate.

The appeal letter should clearly state the grounds for the appeal i.e. the reasons the appeal needs to be considered.

In most cases the appeals against warnings up to and including a Final Warning will be considered without a hearing, however this may be arranged should the information presented by both parties warrant it. In this instance the process identified in 5.7.3 will be implemented.

In most cases however the appeals up to and including Final Warnings will be conducted through the senior member of staff considering the paper based information presented by the College and the student. The student will receive a response to their appeal in writing within 10 days of it being received by the college.

5.7.3 The appeal hearing will be arranged within 10 working days of the appeal being granted.

A Student is expected to be present at all meetings associated with the disciplinary process. Under 18 Students may be accompanied by a parent, guardian or carer. Over 18-year-old Students may be accompanied by a member of College staff or a fellow Student subject to prior agreement.

Prior agreement must be sought from the Principal should alternative attendees to meetings be required from those listed above.

5.7.4 If the Student fails, without good reason, to attend the appeal hearing, the hearing will take place and a decision will be made in his or her absence.

5.8 SUSPENSION

A student may be suspended for a number of reasons. These include:

- An investigation to take place
- Police or other official actions to be processed
- Removal from the College and/or residential accommodation due to unacceptable behaviours from an individual
- A review of an individual's risk assessment due to an incident

When suspended the student is removed from the College site and the related College activity temporarily and may or may not be able to access College support during their suspension.

Suspensions may be processed even if a student is not participating in college activities. If the student is not present at college, the process will be explained during a telephone conversation. No suspensions will be initially triggered through email.

There is no appeal against suspension; a member of the Strategic Leadership Group will be responsible for issuing suspensions.

Suspensions will be confirmed by a senior member of staff, the student being told clearly that they are suspended, the type of suspension and the extent of the restrictions. The letter confirming this information will be sent within two days of the suspension being implemented.

5.8.1 ***Suspension pending an investigation.*** This suspension is made where it is deemed not appropriate for the Student to be present on site. However, during the suspension period a formal meeting will be arranged to allow the Student to explain their involvement or otherwise in the issue that has emerged. On completion of the full investigation, the Student will be informed of the outcome.

5.8.2 ***Suspension pending the outcome of Police or other Official Proceedings.*** In the event of a criminal offence, the College may refer matters to the Police. The College reserves the right to suspend a Student pending the outcome of police proceedings. College disciplinary proceedings may be re-instated once police proceedings have been completed.

5.8.3 In all of the instances identified above if the Student is residential then they will be required to return home and will not be allowed to remain in College Campus accommodation.

5.8.4 **Temporary suspension from College Residential Accommodation.** In the event of a residential Student breaching residential regulations, the Student may be suspended from the residential accommodation for up to 10 days. The Student may make their own arrangements to continue with their studies as a day student if appropriate. This temporary suspension is followed by a 'Return to Residential Accommodation' agreement, which is signed by the Student and their parent / guardian / guarantor.

5.8.5 **Suspension pending creation of or a review of a risk assessment.** There may be instances where an incident occurring on or off site creates a need to reconsider the student's risk assessment. This suspension provides the time to effectively support the individual and other college users. In some instances, external advice or guidance will be required, a return from such a suspension will necessitate a review meeting during which the new risk assessment will be considered and then signed off by relevant parties.

Ill Health review - A student may require a review of their risk assessment due to ill health. In this case this is not considered part of the disciplinary process but is retained within this document for clarity. In these instances, there will be no appeal against the suspension but specific support both during and after the suspension will be based on individual need.

5.8.6 There is no right of appeal against suspensions. Suspension will be no less than 1 day and no more than 1 month unless Police or official proceedings dictate otherwise. Residential suspension (see para 5.8.4) is for up to 10 days.

5.8.7 A decision to suspend shall be reviewed by the Principal every 30 days or sooner in the event of the occurrence of any developments or written representation by the student or anyone else on his/her behalf.

5.8.8 A post suspension action plan will be agreed by the Course Manager where relevant.

APPENDIX 1

Misconduct

The following are **examples** of misconduct that may lead to disciplinary action. **This list is not exhaustive.**

- 1 Failure to demonstrate behaviours identified within the College Charter or Code of Conduct.
- 2 Disrupting any class or college activity whether or not involving staff or Students.
- 3 Any noisy, unruly, offensive or abusive behaviour or language.
- 4 Being present, without authority, in any area of the College clearly marked as not to be accessed.
- 5 Smoking on campus other than in a designated smoking shelter.
- 6 Breach of accommodation regulations (residential Students only).
- 7 Noise nuisance or anti-social behaviour which affects others, including those in the local community.
- 8 Persistent failure to complete academic assessments or comply with academic regulations
- 9 Persistent poor attendance.

Gross Misconduct

The following are examples of Gross Misconduct that may lead to disciplinary action. The College will, in all instances of illegal activity, contact the relevant authority, including the police.

This list is not exhaustive.

- 11 Persistently failing to demonstrate the expectations identified within the College Charter and Code of Conduct
- 12 Interference with any safety or fire-fighting equipment.
- 13 Unauthorised interference or misuse of the College computer equipment or data.
- 14 Theft or any other dishonest acts.
- 15 Drunkenness on College premises or during College activities.
- 16 The use, abuse, possession or supply of any drugs related paraphernalia or substances (illegal or otherwise) likely to cause harm, impair the behaviour of or injure others.
- 17 Bullying, intimidating or harassing any person.
- 18 Assault, acts of violence, threatening behaviour, affray or criminal damage
- 19 Possession of any obscene materials.
- 20 Any act (illegal or otherwise) which may have an adverse effect on the reputation of the College, other Students or Stakeholders
- 21 Any act affecting the welfare of any animals or birds, including farm and equine livestock and animal management unit stock
- 22 Unlawful behaviour which unreasonably interferes with the legitimate freedom of speech, ideas or action of any other Student or member of staff
- 23 Possession of any weapons.
- 24 Dangerous driving on or around the College campus, farm, estate or on visits or work placement
- 25 Any act which brings or may bring the College into disrepute.
- 26 Use of information technology, including emails, web and social network sites in a manner that brings the College, its staff or other Students into disrepute, or which bullies or intimidates others
- 27 Smoking inside a building (including “e”-cigarettes).
- 28 Any deliberate (or by gross negligence) damage to college property or the property or work of other Students.
- 29 Serious breach of accommodation regulations (residential Students only).

APPENDIX 2

Summary of Disciplinary Procedure

Process		Disciplinary Stage	Appeal	Responsibility	Temporary Suspension from College Residential Accommodation
INFORMAL	S u s p e n s i o n c a n o c c u r a t a n y p o i n t	Verbal Warning	No	All Staff	A residential Student who repeatedly breaches residential regulations may be “Suspended” from their accommodation for up to 10 days in order to review the Student’s understanding and commitment to College rules, regulations and values. The Student may continue with their studies during this period as a day Student, but will be responsible for making their own travel arrangements.
		First Written Warning	Yes	CL/HoD/HRM/HW/RC	
FORMAL		Final Written Warning	Yes	HoD/SLG/HRM	This suspension from residential accommodation may be implemented at any stage of the disciplinary process and will always be followed by a formal ‘Return to Residential Accommodation’ agreement contract being signed by Student and parent/guardian/guarantor. This contract will be agreed during a formal meeting with the Student, Parent/Guardian (if under 18) and a relevant member of staff. As part of the disciplinary process, the Student may receive any of the disciplinary outcomes listed in the disciplinary procedure. There is no appeal against this temporary suspension from Residential Accommodation.
		Verbal Warning (exceptional circumstances)	Yes		
		Recommendation to Exclude	Yes	SLG	
		Exclusion	No	Principal	

There is no appeal against suspensions – a member of the Strategic Leadership Group will be responsible for issuing suspensions.

Key

SLG – Strategic Leadership Group

CL – Curriculum Lead

HoD – Head of Department

HRM – Hospitality & Residential Manager

HW – Head Warden

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