

**Draft Learner Behaviour Policy and Student Disciplinary Procedure**

The Learning and Teaching Committee of the Board has requested that we split the Code of Learner Behaviour into a policy document and a disciplinary procedure. The attached draft documents attempt to do this and we are seeking the views of the Academic Board on the drafts. Note that no significant changes are being proposed on either our expectations for student behaviour or the related disciplinary procedures, with the main changes being the organisation and layout of the two documents.

## Learner Behaviour Policy

Document Control Information	
Date Reviewed	September 2022
Date of Next Review:	September 2024

*The persons/committee responsible for this document reserve the right to amend this document at any time should the need arise. All appropriate staff will be informed should this occur.*

## 1. Introduction

Glasgow Kelvin College, Learner Behaviour Policy provides clarity of expected levels of behaviour of all College learners when undertaking all elements of College activities. It will assist College staff to provide an environment that is welcoming to all and is conducive to effective learning whilst promoting a positive and inclusive learning environment. It will be promoted to all students as part of their college induction programme.

## 2. Student Charter

The College has a [Student Charter](#) displayed in each learning area, the College programme guide and College Web Site (copy attached at Annex A).

The [Student Charter](#) outlines the expectations learners can have of Glasgow Kelvin College and of the learners themselves, it is envisaged that when invoking the Code of Learner Behaviour that the [Student Charter](#) should also be referred to. It should be available to learners at induction.

Learners are required to complete and sign an enrolment form, or enrol electronically. This is a “contract” with the College and commits learners to the responsibilities contained in the [Student Charter](#). The responsibilities are designed to ensure that learners, individually and collectively, are able to achieve their full potential as a consequence of engaging in an effective formal and informal learning process.

The responsibilities established in the [Student Charter](#) require that learners will:

- be respectful and courteous to all;
- participate fully in College life and shape its future direction;
- attend classes and complete work on time to fulfil their potential;
- be responsible for their own learning and progress;
- have a student voice and be represented on the Board, its committees and other College committees;
- explore and enjoy their learner journey in and out of the classroom;
- build relationships to grow and develop citizenship skills; and
- take responsible care of their own health and safety and that of others.

## 3. Academic Standards

College Academic Standards specify expected behaviours related to assessment and qualification requirements. The following are examples of candidate malpractice, but staff should be vigilant to other instances of suspected malpractice that may undermine the integrity of qualifications. Examples could include:

- Plagiarism — failure to acknowledge sources properly and/or the submission of another person’s work as if it were the candidate’s own;
- Collusion with others when an assessment must be completed by individual candidates;
- Copying from another candidate (including using ICT to do so) and/or working collaboratively with other candidates on an individual task;
- Personation — pretending to be someone else;

- Inclusion of inappropriate, offensive, discriminatory or obscene material in assessment evidence;
- Frivolous content — producing content that is unrelated to the assessment;
- Unauthorised aids — physical possession of unauthorised materials (including mobile phones, electronic “sharing” devices, notes etc) during a controlled assessment;
- Misconduct — inappropriate behaviour during an assessment that causes disruption to others. This includes shouting and/or aggressive behaviour or language, and having a prohibited electronic device that emits any kind of sound in the assessment room;
- Breaching the security of assessment materials to threaten the integrity of any exam or assessment.

A breach in these guidelines could result in the learner repeating the assessment, withdrawal from certification, or suspension from the course.

#### **4. Learner Behaviour**

Learners are responsible for their behaviour while at College and expected to treat staff and fellow learners with courtesy and respect at all times. At all time, learners should behave in a manner which follows and respect the expected behaviours set out within the Student Charter and Code of Academic Standards.

College staff have a responsibility to ensure that its learning environment is appropriate to the needs of all learners and to enforce health and safety procedures during all College activities.

Everyone has a responsibility to challenge unacceptable behaviour which is and likely to disrupt or degrade the learning experience of other learners. For example, all behaviour which contravenes GKC - Equality and Diversity Policy.

Learners should not act in a way which threatens the health, safety or wellbeing of other learners or staff. In light of the current Coronavirus pandemic any actions which pose a risk, real or potential, to the safety of learners or staff, and which can be considered a direct contravention of College COVID-safe arrangements, will not be tolerated and addressed through behavioural sanctions, including permanent exclusion from the College.

It is anticipated that if College staff are required to challenge behaviour they find unacceptable that learners will respond appropriately and the exhibited behaviour will improve.

#### **5. Disciplinary Sanctions**

In the unlikely event that an individual or group of individuals continues to display unacceptable behaviour, the College may implement disciplinary sanctions to ensure a positive environment for all students in which effective learning can take place. This will help to encourage all students to achieve and maintain acceptable standards of conduct and academic performance and will also make clear that there are consequences for inappropriate behaviour.

Unacceptable or improper behaviour includes, but is not limited to:-

- failure to comply with College regulations
- unacceptable behaviour (e.g. swearing, threatening/aggressive behaviour) towards students and staff
- disruptive behaviour
- poor level of engagement or attendance
- bringing illegal substances into College
- being assisted or assisting others with the preparation and/or completion of assessed work
- theft of, or damage to, College property
- bringing or distributing pornographic or offensive literature into College (including electronic material).

Where possible and appropriate, we will seek to deal with unacceptable behaviour informally, without the need to report the matter, or to invoke Student Disciplinary Policy and Procedure. However, if the member of staff believes an incident to be sufficiently serious to require the involvement of more senior staff and/or Student Conduct Procedures, the administrative procedures detailed below should be followed.

Breach of the Code of Learner Behaviour may lead to disciplinary action being taken against a student and repeated breaches or a single serious breach may result in a student being suspended or expelled from the College.

The College has identified a number of sanctions which may be applied in the event of unacceptable behaviour on the part of learners. The type of sanction will depend on the student and the extent of the unacceptable behaviour. The learner will have the right to be heard prior to any sanction being implemented and a right to appeal against the sanction.

The College is committed to ensuring that all students who may be subject to disciplinary processes are dealt with in a fair and equitable manner, whilst taking into account the individual circumstances of each student. The Student Disciplinary Procedure sets out the actions which should be followed where learner behaviour does not meet College expectations.

## **6. Related College Documents**


The following College documents support implementation of this Learner Behaviour Policy:

- [Student Charter](#)
- [GKC - Safeguarding Children, Young People and Vulnerable Adults Policy and Procedure](#)
- [GKC - Equality and Diversity Policy](#)
- [GKC - Dignity and Respect Policy and Procedure](#)
- Gender Based Violence Policy (awaiting approval)
- [GKC - Alcohol, Drugs and Substance Misuse Policy](#)
- [GKC - Health and Safety Policy](#)
- [GKC - No Smoking \(Smoke Free\) Policy](#)
- [GKC - ICT Acceptable Use Policy](#)
- [GKC - Data Protection Policy](#)
- [GKC - Copyright Policy](#)

## **7. Review**

This Learner Behaviour Policy should be reviewed every two years.

DRAFT



We work in partnership with our students so they can make the most of their learning experience and feel proud to be a Glasgow Kelvin College Student.

We have expectations of our students and we respect that you will also have expectations of us as we form a partnership to reach our goals.


# STUDENT CHARTER

## We expect you to:

- Be respectful and courteous to all
- Engage actively in your learning to achieve your goals
- Participate fully in College life and to shape our future direction
- Attend classes and complete work on time to fulfil your full potential
- Be responsible for your own learning and progress
- Have a student voice and be represented on the Board, its committees and other College committees
- Explore and enjoy your learner journey in and out of the classroom
- Build relationships to grow and develop citizenship skills
- Take responsible care of your health and safety and that of others.

## You can expect us to:

- Provide an equitable, inclusive and welcoming environment
- Facilitate learning to help you achieve your goals
- Provide opportunities to co-create your learning and support you to shape your learner journey
- Provide learning resources, ongoing support and feedback
- Facilitate freedom to express and debate views within the law
- Provide access to a range of services to support your needs
- Offer impartial guidance to support all stages of your learning journey
- Provide opportunities to be active in the student association and wider College activities
- Provide you the opportunities to be represented at all levels of College life
- Treat you with respect in line with College values, policies and procedures
- Protect all collected student data in line with our GDPR Privacy Notice
- Be responsible for your Health and Wellbeing while attending College



**Glasgow  
Kelvin  
College**

**THE KEY TO  
SUCCESS  
IS YOU**

# Student Disciplinary Procedure

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## **1. Introduction**

The Glasgow Kelvin College Code of Learner Behaviour provide clarity of expected levels of behaviour of all College learners when undertaking all elements of College activities. This Student Disciplinary Policy and Procedure outlines how behavioural sanctions may be applied should learner behaviour fall below that expected within the Code of Learner Behaviour.

This policy, and supporting procedure, have been developed to ensure a consistent process across all campuses; to support staff in the maintenance of good classroom conduct; and to provide a fair and transparent system for dealing with any situation that may arise in the classroom or on campus.

## **2. Student Disciplinary Procedure**

Staff have a responsibility to treat learners with courtesy and respect at all times and exercise a duty of care to all learners on behalf of the College. Where possible and appropriate, we will seek to resolve behaviour issues through an informal reprimand. This is delegated to all College staff and an informal reprimand will not normally be recorded.

In the event that a learner makes a more serious breach of the Code of Learner Behaviour, formal steps may be taken to address this. The following sections outline the potential stages of this process and Annex 1 sets out a flowchart summary.

### **3.1 Guidance on Conducting a Hearing**

A learner who is to be the subject of a behavioural sanction has the right to a hearing before the application of that sanction. This excludes a precautionary suspension when the hearing will be the next College day. The opportunity for the learner to be heard should be informal and organised in a nonintimidating manner. The hearing should be convened as soon as possible with the individual invited to the hearing by means of a recorded delivery letter.

The letter should indicate:

- the date, time and place of the hearing;
- the behavioural matter to be discussed;
- the right of the individual to be accompanied by a friend, colleague or member of the College Student Association Executive Committee.

The hearing:

- The hearing will begin by an appropriate manager conducting the hearing introducing everybody present.
- The purpose of the hearing will be explained by the manager conducting the hearing and the behavioural matter to be discussed will be explained.
- The member of College staff making the allegation will be asked to explain the reason why the learner's behaviour was unacceptable.
- If the learner fails to appear at the hearing, appropriate documentation should be submitted before the stipulated time of the hearing. Without this, the hearing may proceed and a decision may be made in the learner's absence.
- The learner will be given an opportunity to explain their behaviour. Normally the individual accompanying the learner will be given an opportunity to address the hearing but will not be able to speak on behalf of the learner. However in some

circumstances there might be grounds for such support. These should normally be agreed with the manager conducting the hearing a minimum of one College day prior to the hearing. Grounds which might convince a manager to accept such a position could, for example, include a specific communication difficulty or medical condition.

The manager conducting the hearing:

- may ask questions of either party but cross questioning will not be allowed
- will draw it to a close by asking each party for final comments
- will conclude it by informing the learner that they will be informed in writing of the outcome within five College days
- will make a decision on the facts of the case and write to the learner with the outcome. If appropriate the learner should be informed of their right of appeal. This will normally be conveyed by recorded delivery letter within five College days.

### 3.2 Formal Sanctions

Based on the evidence considered at the hearing, the following behavioural sanctions may be implemented:

- A) **Formally reprimanded in writing.** This is delegated to Curriculum Manager, Senior Curriculum Manager, or Director of Curriculum.
- B) **Temporarily suspended from attendance at the College or College activities.** This is delegated to the Senior Curriculum Manager or Director of Curriculum.

For a full-time learner this may be for up to ten days on which they would normally have attended classes and for a learner attending on any other mode of attendance for up to a maximum of the next twenty occasions on which they would have normally attended.

Youth Access staff have the power to impose a temporary suspension of a learner's activities with the College for a persistent breach of the Code of Learner Behaviour for a period of up to two weeks. The suspension will apply immediately but must be reviewed by a Senior Curriculum Manager or Director of Faculty within forty-eight hours.

In exceptional circumstances where it may be necessary to protect the individual, the physical and other safety of other learners, or the learning environment of other learners a precautionary temporary suspension may be applied.

- C) **Exclusion from the College.** This would only be considered in relation to serious breaches of the Learner Behaviour Code and is delegated to Director of Faculty. The exclusion may be for the remainder of an academic year or for a period of up to three years.

At all stages, the learner will be informed in writing and a record maintained by the Head of Faculty of the outcome of any formal behavioural sanction. The College staff involved will make a record relating to all formal behavioural sanctions. All documents retained by the college administration staff, with a note of the sanction made within the learner's Unit-e record. No other records relating to these matters will be kept by members of College staff. Details of bespoke letters relevant to each stage of the student disciplinary are set out in

Annex 2. The implementation and upkeep of these letters are managed by the College's administration service.

In exceptional circumstances where it is necessary to protect the individual, the health and safety of other learners, or the learning environment of other learners, a precautionary temporary suspension may be applied. This type of suspension is to be used as a precautionary measure and a hearing normally arranged within five college days – delegated as appropriate to either the: Senior CLD worker, Curriculum Manager, Senior Curriculum Manager, Head of Faculty, Director of Curriculum, Vice Principal, or Principal. In such circumstances a hearing convened to consider the matter which gave rise to such action will normally take place within 5 College days. The precautionary suspension will apply until the hearing.

Where appropriate the College may inform the learner's parent (if they are under the age of 18), employer or other sponsoring agency (if they pay the learner's fees) of action taken and the reasons for that action.

In circumstances where there is a breach of the law, the College will normally be required to inform the police in addition to any sanctions it applies. In addition, the College may institute proceedings, which would seek to require learners (or their legal guardian) to pay for any damage wilfully and deliberately caused to its property.

### **3.3 Right of Appeal**

Learners will have the right of appeal against any formal behavioural sanction applied against them. The appeal will normally be heard by the next senior manager within twenty-one days but this may be varied in appropriate circumstance. Unless there are extenuating circumstances, it will be normal for the sanction to be applied awaiting the outcome of the appeal hearing.

The procedure which relates to an appeal made against formal behavioural sanctions is outlined below:

- An appeal must be made formally in writing by post or email to the Director of Corporate Services within five College days of the learner being informed of the original decision. (Email: [lisaclark@glasgowkelvin.ac.uk](mailto:lisaclark@glasgowkelvin.ac.uk))
- An appeal hearing will be convened by the Principal as soon as possible but not later than twenty-one days from the learner's formal request for an appeal.
- An appeal panel will consist of two senior College managers who have not been involved in the case. This would normally be a Head of Faculty, Director of Curriculum, or a Vice Principal. There may be other observers at the Principal's discretion.
- The learner shall be invited to attend by letter informing them of the date, time and place of the hearing and the behavioural matter to be considered.

- If the learner fails to appear at the hearing, appropriate documentation should be submitted before the stipulated time of the hearing. Without this, the hearing may proceed and a decision may be made in the learner's absence.
- The learner may be accompanied by one friend, colleague, parent, member of the College Student Association Executive Committee or representative of the National Union of Students and both the learner and the accompanying person will have the right to be heard.
- Should the learner wish to be accompanied by another adviser the Principal should be notified by letter five College days prior to the hearing. The Principal may, in such a case, decide to have appropriate additional representation.
- Both the College and the learner may call witnesses and produce written evidence. It is the responsibility of the learner to arrange the attendance of any witnesses they wish to call in support of their case.

The appeal Panel shall have the right to:

- set aside any decision to apply a behavioural sanction against a learner;
- confirm or decrease a period of temporary suspension from the College or College activities;
- confirm a permanent exclusion from the College and College activities; or
- substitute a period of temporary suspension for a permanent exclusion from the College and College activities.

The decision of the appeal Panel will be final and its decision will be communicated to the learner in writing by recorded delivery. There shall be no further right of appeal within the College.

### **3.4 Learners Attending School or Otherwise in the Care of a Local Authority**

All decisions relating to learners of school age, attending local secondary schools or otherwise in the care of a local authority, are notified to the appropriate head of service. This will be the Director of Education or the Director of Social Work respectively.

It is the responsibility of Directors of Faculty to bring any concern of this nature to the immediate attention of the Vice Principal who will notify the appropriate head of service. This notification will normally be sent by recorded delivery within five College days.

It is particularly important that where the College makes a decision to exclude a school age learner from any College activity during school hours that the learner is returned to their school or care setting. Appropriate arrangements will be made to escort such learners to their school or care setting.

The College reserves the right in specific circumstances to terminate a school age learner's placement with the College. This will be communicated in advance to either the Director of Education or the Director of Social Work. Copies of correspondence will also normally be sent to the learner's school or care setting.

### **3.5 EVIP Learners and Transitions Learners**

EVIP and Transitions to Learning and Work learners are among some of the most disadvantaged and furthest away from a positive learner journey. These learners require a more flexible approach to discipline to help develop their behaviour more positively and ensure they remain in education as far as is practicable under the acceptable behaviour policies. Behaviour and sanctions should be managed by lecturers/CLD workers, then Senior CLD Workers, CM and SCM respectively. Some support may be needed from external agencies and these should be signposted for staff dealing with these young learners.

### **3. Learning and Teaching Committee**

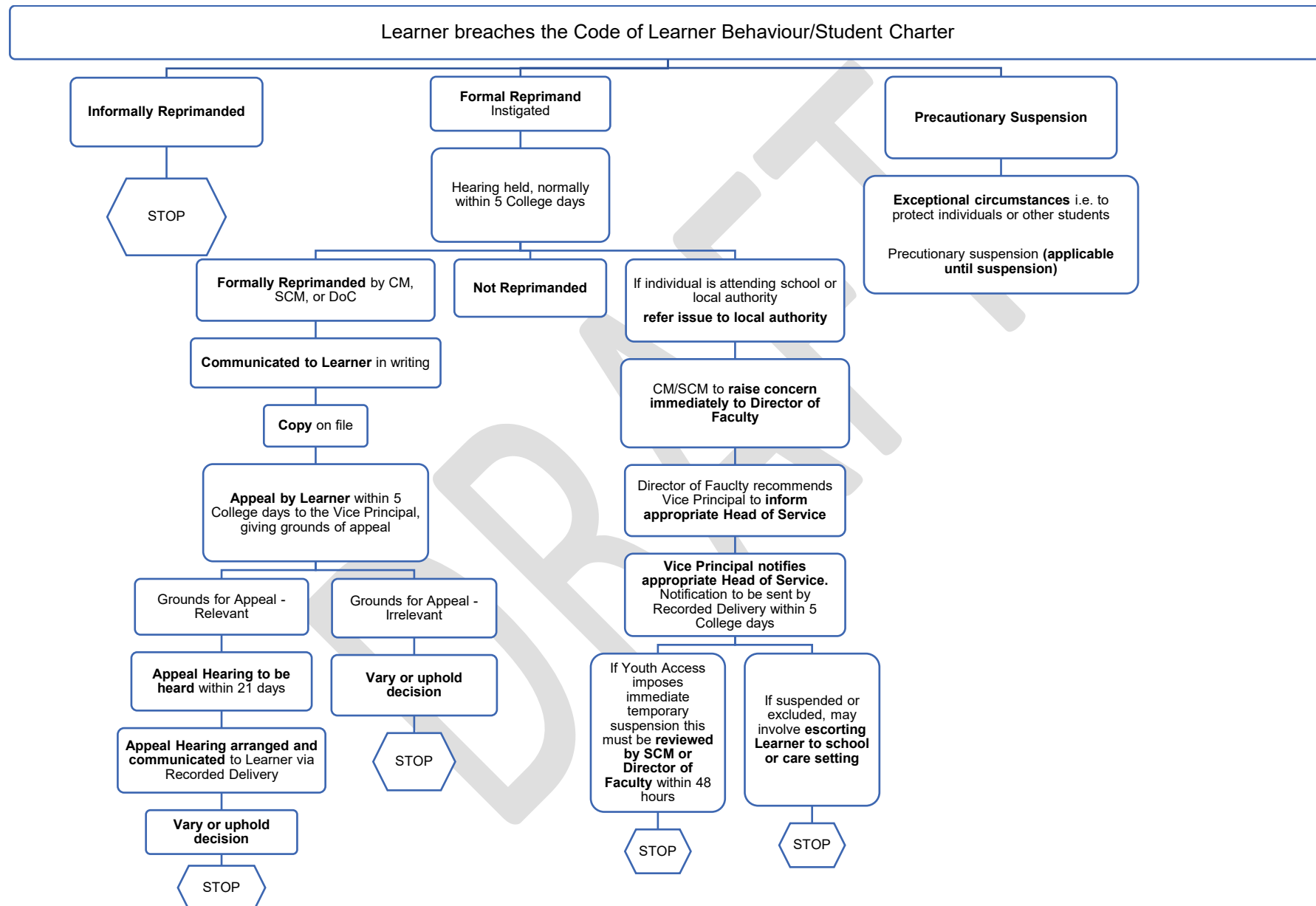
Members of the Learning and Teaching Committee will be informed of all permanent exclusions and the reasons for such action. Normally papers related to such decisions considered at the Learning and Teaching Committee will not be lodged, for reasons of confidentiality, in the public domain. Similarly, minutes of any decision discussed will not identify the individuals concerned.

Files relating to such decisions will be available on a confidential basis, from the Director of Faculty, to members other than those with a potential conflict of interest (notably learner and staff representatives).

### **4. Review**

This Student Disciplinary Procedure will be reviewed every two years.

## Annex 1: Flowchart Showing Stages of Potential Student Disciplinary Action



**Annex 2: Code of Learner Behaviour Letters:**

Code/Template	Hyperlink to most recent version
<b>Email/Letter</b>	
AE01	Attendance Email/Letter
AE02	Attendance Email/Letter
AE03	Attendance Email/Letter
AE04	Attendance Email/Letter
<b>Letters</b>	
L1	
L2	
L3	
L4	
L5	
L6	
L7	
L8	
L9	
L10	
L11	
L12	
L13	
L14	
L15	
L16	
L17	
L18	
L19	
L20	
L21	
L22	
L23	Attendance Hearing invitation
<b>Guidance/Template</b>	
03a	Conducting an attendance meeting
03b	Meeting template/work plan
23a	Conducting an attendance hearing
23b	Meeting template/workplan