

# Student Discipline Policy and Procedure

Document status	
Document owner	Vice Principal - Student Experience
Document author	Director of Personal Development/ Director of Specialist Provision and Support
Document type	Policy and Procedure
Date of document	August 2024
Version number	03
Review requirements	Annual
Date of next review	August 2025
Approval body	Senior Leadership Team
Publication	Staff intranet/website/Student VLE
Code	PO87

Version: 03

## **Contents Page**

Introduction	3
Aim	3
Scope	3
General Principles	3
Disciplinary offences	5
Gross misconduct	6
Concerns regarding Progress	7
The Conditional Contract – for returning students	7
Procedures	8
Flow chart (Stage 1 & 2)	12
Flow chart (Stage 3)	13
Refunds of fees following exclusion	14
Re-enrolment following exclusion	14
Variations and amendments	14
Appeals	15
Other relevant policies	16
Appendices	17

Version: 03 Status: Open

#### 1. Introduction

- 1.1 Wirral Met College (WMC) is committed to an ethos of equality, diversity and inclusion and strives to support students wherever possible. It wishes to create an environment that is safe and welcoming to all students, staff and stakeholders. It aims to promote a positive culture where students are able to learn, develop and achieve in a respectful and fair environment. In order to ensure this, we expect students to behave in an appropriate manner at all times, and to work hard to achieve their goals.
- 1.2 This policy and procedures are applied to all WMC students including those students in outreach and community venues, on placements and apprenticeships.

#### 2. Aim

- 2.1 The aim of this policy is to support students and staff in providing a learning environment at WMC whereby everyone is fully aware of the expectations of behaviour by students, and supports to help them achieve their own academic goals and their personal development during their course.
- 2.2 At WMC we have high expectations of our students as learners and as members of the College community. We expect and encourage good behaviour and high levels of commitment to learning from all students.

#### 3. Scope

- This policy and procedure relate to all students and apprentices of the College (with the exception of HE students who are subject to the policies of the awarding institution). Part time students and apprentices will be supported by their subject tutor or trainer assessor, if behaviour becomes a cause for concern. Full time students are supported by the Development Coach (DC). Throughout this policy, references to Development Coach should be taken to refer to Personal Tutor for students on specialist provision, and course tutor or trainer assessor for part-time students/apprentices.
- 3.2 Pupils from local schools attending school link programmes will be subject to the relevant procedure of their own school.
- 3.3 This policy underpins the requirements of awarding organisations' academic standards for specific qualifications and cannot be used to vary the standards or decisions of the Awarding Organisation.

Version: 03

#### 4. General Principles

- 4.1 All College staff are expected to challenge inappropriate behaviour. If the inappropriate behaviour persists, this must be raised to the student's Development Coach along with the information about the steps taken to address the behaviour. This should be done through updating ProMonitor ensuring the Development Coach is copied in together with the HoD for the student's main vocational area.
- 4.2 Although minor behaviour can be addressed, it is recognised that persistent minor behaviour issues can negatively impact not only the student but also the rest of the group. Therefore, it is crucial for staff to follow the established procedures, with the support of the student's Development Coach in guiding the student toward positive behaviour change before any sanctions are considered. The Development Coach, alongside the Course Tutor/Assessor, will engage with the student to understand the underlying issues and develop a tailored approach to support improvement. Their intervention is key in fostering a constructive dialogue, which may be sufficient to resolve the behaviour concerns without the need for further disciplinary action.
- 4.3 Gross Misconduct incidents should be reported directly to the Head of Department (HoD). In most cases these types of incidents would be as a result of actions that have been intended to threaten or harm students or staff. The continuation of persistent minor misbehaviour that is having a negative effect on the group should also be referred to the HoD.
- 4.4 Suspension No formal action will be taken against a student until the circumstances have been investigated. In cases of alleged serious or gross misconduct it may be appropriate to suspend a student from college until an incident has been investigated further (for their own or others' safety or to ensure a fair investigation). The relevant Duty Manager, Site Manager or any HoD may issue a suspension. If this is the case, the HoD must ensure that parents/guardians are informed if the student is age 16-18. The relevant Director and Director of Personal Development must be informed if a student is suspended pending investigation.
- 4.5 Any student that is subject to being suspended from their programme of study must be kept up to date with all learning (including Thrive Tutorials), homework, English and maths as defined in the sequenced learning plans, insofar as it is practical to do so.
- 4.6 In all cases where there are persistent concerns about either behaviour, consideration must be given as to any possible underlying causes. Where it is believed, or where the student states that these issues relate to a health condition or disability, the Fitness to Study Policy must be followed instead.

Version: 03

- 4.7 If the student indicates that they are unhappy on their chosen course, they should be supported to look at possible alternatives. If there are other underlying issues, appropriate support should be provided as necessary (e.g. via referral to Development Coach/Well-being Team).
- 4.8 If there are any concerns that a student may be at risk of significant harm, e.g. abuse, neglect, radicalisation, exploitation etc, the matter must be referred immediately to the Safeguarding Manager in accordance with the Safeguarding of Children and Adults at Risk Policy.
- 4.9 At every stage, a student has the right to be advised of the reason for any formal meeting, to hear any evidence, and to state their case.
- 4.10 If a student fails to attend a formal meeting, the meeting can take place and a decision can be made in their absence.
- 4.11 If the student is 16-18 **or** considered to be vulnerable they have the right to have a parent/guardian accompany them to any formal meeting. In the absence of a parent or guardian a member of the support services or Student Representative, if deemed appropriate, may accompany the student to offer support.
- 4.12 Although the college is only responsible for addressing behaviour that takes place within college time (either on-site or during off-site college activities), the college reserves the right to use this procedure to address behaviour that takes place outside of college time where this behaviour may have a significant detrimental effect on other students, staff or the reputation of the college.
- 4.13 Any warnings issued will be considered 'expired' after the following periods of time:
  - Verbal warning 1 full term
  - Written warning 1 academic year
  - o Final written warning 2 academic years
- 4.14 At every stage of the process, when the concerns are regarding a student's behaviour, the over-riding goal is to try and get the student back on the right track so that they can remain at the college and be successful.
- 4.15 Monitoring and oversight will take place at SLT Meetings and Progress Boards

#### 5. Disciplinary Offences

5.1 The following are some examples of misconduct. This is not an exhaustive list

Version: 03

#### and each incident will be reviewed individually

- o any breach of the responsibilities of students outlined in the 'Learning Agreement' and any breach of health and safety or other procedures of the College (including breaching Covid-19 safety measures), as outlined at Induction and in the College Charter
- bullying (including cyber bullying), intimidation, taunting, verbal abuse;
- o any failure to follow the reasonable instructions of a member of staff;
- deliberately or by gross negligence causing damage to any College buildings, equipment, books or furnishings or any property of others;
- o any misuse of substances as defined by the Substance Misuse Policy
- any interference with hardware, software or data belonging to or used by the College or other students which contravenes the Student ICT Usage Policy agreed at Induction;
- o any breach of the college Smoking and E-Cigarette/Vaping Policy;
- o any cheating, plagiarism, copying of the work of other students, or other breach of the Academic Malpractice Policy;
- o inappropriate access to web material deemed unsuitable;
- o inappropriate use of college e-mail;
- o any unduly noisy or unruly behaviour or the use of foul or abusive language;
- o disrupting any class or any other College activity, whether or not involving staff or other students;
- o any behaviour which is socially or sexually offensive;
- o any behaviour, whether within or outside of college, which could bring the College into disrepute; (e.g. posting inappropriate messages on social media about staff or other students, committing a criminal offence);

#### 6. Gross Misconduct

- Any allegation of gross misconduct will result in an investigation at Stage 3 of this procedure, irrespective of whether the student has been subject to earlier stages of the procedure (except in cases where stage 3 of the Fitness to Study process is more appropriate). The following are examples of gross misconduct:
  - o theft of any kind;

Version: 03

- threatening behaviour or assault;
- o any behaviour which is racist, sexist, or discriminatory against others on grounds of their disability, religion or belief, sexual orientation, transgender identity, age, pregnancy/maternity or marital status;
- o bullying or harassment including cyber bullying;
- o deliberate damage to property (College and personal property);
- o endangering the health and safety of others;
- any potentially criminal activities affecting the College or other students;
- o possession and/or use of alcohol;
- o possession and/or use of illegal substances;
- o cheating, plagiarism, forgery and gambling;
- breaching a suspension
- 6.2 This is not an exhaustive list and each incident will be reviewed individually.

#### 7. The Conditional Contract - for returning students

- 7.1 The conditional contract is a method of supporting returning students who have had poor behaviour, or other reason to give cause for concern (as per sections 5 or 6).
- 7.2 Students who have progressed internally and whose conduct was a concern in the previous year, may be placed on a conditional contract as part of the enrolment/ induction period (see Appendix 1). Students must be made aware of this prior to the start of their course so that they understand that failure to improve may result in being immediately withdrawn.
- 7.3 The conditional contract will set out the expectations for the particular course the student has chosen. It will cover the whole of the study programme (Including English and maths).
- 7.4 The Development Coach must collaborate with the Additional Learning Support team to determine if there are any welfare or support needs that should be considered before issuing a conditional contract, and seek guidance as needed.
- 7.5 The Development Coach and Head of Department (HoD) will meet with the student, and with the parent/guardian if the student is aged 16-18 or considered vulnerable, to discuss the concerns being raised. During this meeting, they will establish a set of realistic targets to ensure the student clearly understands the expectations required

Version: 03

from them. These targets will be documented in a conditional contract, which must be signed by the relevant Director and saved to ProMonitor. A copy of the conditional contract should be provided to the student and their parent/guardian.

- 7.6 The conditional contract will last for a maximum period of 4 weeks.
- 7.7 The targets will be monitored by the Development Coach during this time. Interim meetings with the student, Development Coach and/or HoD may be held at any time throughout the monitoring period (typically at weeks 2 and 4 of the course)
- 7.8 Relevant support services within the college should be involved in the process, where applicable, to maximise the student's chances of success.
- 7.9 If the student does not achieve the targets agreed in the contract, a meeting will be called with the HoD and the student to discuss withdrawal and make recommendations for the next steps. Students must be given the opportunity for a guidance interview, to consider other possible options in the college. Parents/carers of 16-18 students and vulnerable adults will also be invited to attend.
- 7.10 Where it has not been possible to meet with the student due to non-attendance a copy of the conditional contract will be sent to the student and their parent/guardian where appropriate. The student will be offered a guidance interview and if no alternative course is available or appropriate then the student will be withdrawn.

#### 8. Procedures:

- 8.1 The procedure for addressing cases of student misconduct or failure to meet required standards is the direct responsibility of the Principal but the operation of the procedure is delegated to the Senior Leadership Team, HoDs, Development Coaches, Subject Tutors, Course Tutors, and Trainer Assessors.
- 8.2 The starting point for action will depend on the seriousness of the concern.

  Most minor behaviour issues can be resolved at Stage 1 or Stage 2 of the

  Procedure. Stage 3 will be used when Stages 1 or 2 have been unsuccessful, or
  when it is deemed that gross misconduct has occurred.

#### 8.3 Stage 1 – (inappropriate behaviour, or concerns about engagement)

 The Development Coach meets with the student to discuss the cause for concern (e.g. behaviour issue, lack of engagement etc)

Version: 03

- If age 16-18, a parent/guardian must be invited to attend. If the student has an EHCP or is similarly vulnerable, they should be given the opportunity to be accompanied by a parent/guardian or a member of college support staff. Other students may be accompanied by a Student Representative.
- They discuss any possible underlying issues and consider whether referral to internal support services is needed.
- Actions and targets are agreed that will get the student back on track, and recorded on the ILP
- Record is created in My Meetings on ProMonitor
- Student is given a clear verbal warning that a failure to achieve the targets being set will result in moving to a formal meeting with the HoD at stage 2, and could eventually result in being removed from the course
- Actions and targets reviewed after an agreed timescale, typically 4 weeks although this may vary according to circumstance
- Failure to achieve the targets will usually result in escalation to Stage 2 (with option for a further review if the student is clearly making some progress and needs a little longer)

#### 8.4 Stage 2 (more serious concerns about behaviour)

- This stage is for students who have failed to meet the targets set at stage 1, or for more serious concerns
- If the concern is regarding behaviour, suspension may be necessary to allow an investigation of the facts to proceed (e.g. to interview witnesses)
- The Stage 2 Meeting will be chaired by the HoD, with the Development Coach presenting concerns and evidence
- The Stage 2 Meeting will take place within 7 working days of the concern being raised/the student being suspended
- If age 16-18, a parent/guardian must be invited to attend. If the student has an EHCP, Looked After status or is similarly vulnerable, the Director of Specialist Provision and Support should be informed immediately and the student should be given the opportunity to be accompanied by a parent/guardian or a member of college support staff. Other students may be accompanied by a Student Representative.
- The student will be given the opportunity to discuss any possible underlying issues (e.g. not enjoying course; commitments outside of

Version: 03

college; personal problems)

- Possible outcomes are:
  - No action required
  - o A Written Warning is issued, and targets to improve are agreed and recorded on the ILP.
- Student may be referred to relevant student support services if appropriate (Additional Learning Support; Mental Health & Wellbeing support), or to Student Advisers if the student wishes to look at alternative programmes of study
- Record is created in My Meetings on ProMonitor
- Actions and targets reviewed after an agreed timescale, typically 2 weeks although this may vary according to circumstance
- Failure to achieve the targets will usually result in escalation to Stage 3 (with option for a further review if the student is clearly making progress and needs a little longer)

#### 8.5 Stage 3 (gross misconduct or failure to meet targets set at Stage 2)

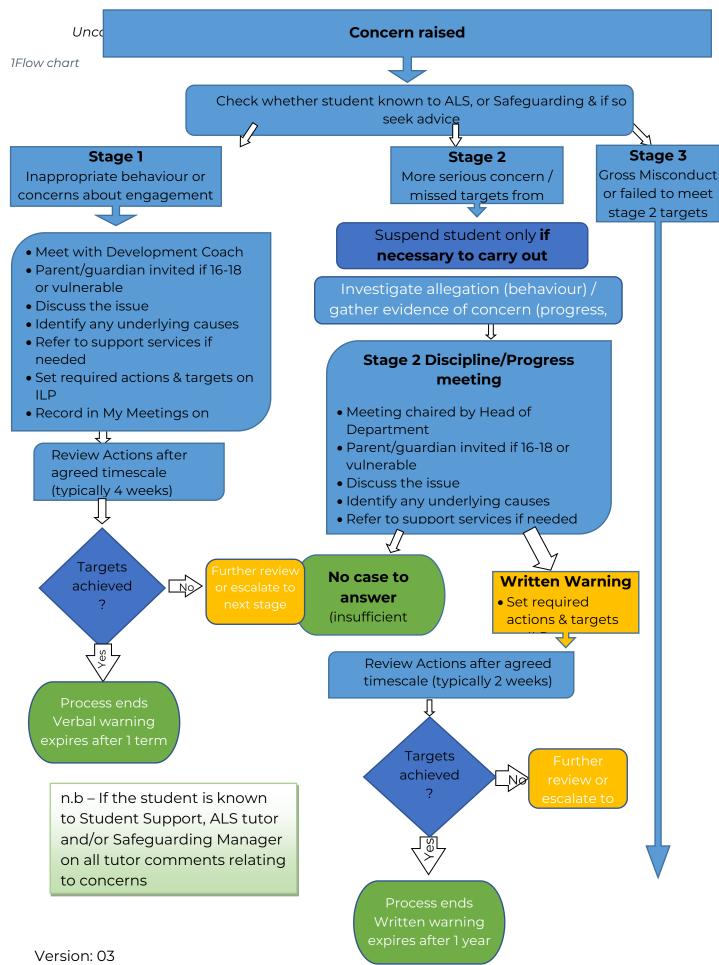
- This stage is for cases of alleged gross misconduct, or for students who have failed to achieve the targets set at Stage 2
- If the concern is regarding behaviour, suspension may be necessary to allow an investigation of the facts to proceed (e.g. to interview witnesses)
- The Stage 3 Meeting will be chaired by a Director, with the HoD presenting concerns and evidence
- The Stage 3 Meeting will take place within 7 working days of the concern being raised/the student being suspended
- If age 16-18, a parent/guardian must be invited to attend. If the student has an EHCP, Looked After status, or is similarly vulnerable, the Director of Specialist Provision and Support should be informed immediately and the student should be given the opportunity to be accompanied by a parent/guardian or a member of college support staff. Other students may be accompanied by a Student Representative, if deemed appropriate.
- The student will be given the opportunity to discuss any possible underlying issues (e.g. not enjoying course; commitments outside of college; personal problems)
- Possible outcomes are:
  - No action required

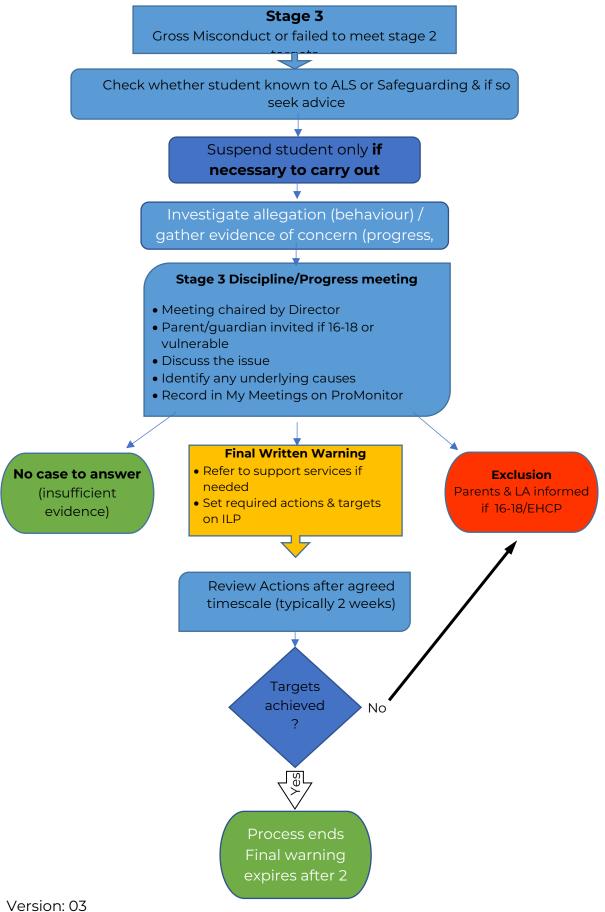
Version: 03

- A Final Written Warning is issued, and targets to improve are agreed and recorded on the ILP.
- Exclusion.
- If the outcome is not exclusion, the student may be referred to relevant student support services if appropriate (Additional Learning Support; Mental Health & Wellbeing support), or to Student Advisers if the student wishes to look at alternative programmes of study
- If a student age 16-18 or with an Education is excluded, the relevant Local Authority must be informed.
- If a student has an Education, Health and Care Plan, a consultation must first take place with the relevant Local Authority before any decision to exclude is taken to ensure statutory duties are followed.
- Any student with an Education, Health & Care Plan should immediately be brought to the attention of the Director of Specialist Provision and Support
- If Actions and Targets are set, these will be reviewed after an agreed timescale (typically 2 weeks)
- Failure to achieve the targets will result in another Stage 3 meeting, with a likely outcome of Exclusion
- If a student is excluded, the Director who has taken the decision must contact MIS and request for an alert to be placed on that student's record indicating that the student has been excluded and must not be re-enrolled without the permission of a Vice Principal.

Version: 03

n.b. – ALL staff will challenge inappropriate behaviour and reinforce standards with students, and record on Tutor Comments in ProMonitor





Version: 03 Status: Open

#### 9. Refunds of fees following exclusion

9.1 If a student is excluded from a programme for which they have paid fees, please refer to the relevant policy on fee payment (HE or FE) for details.

#### 10. Re-enrolment following exclusion

10.1 Students who are excluded are not permitted to re-enrol at the College on any learning programme without express permission from the Vice Principal Curriculum. Such permission will be granted if the student can make a convincing case that their behaviour in the future will comply with College expectations and that they are ready and prepared for learning (for example by providing references from an employer, probation officer, other learning provider etc). It is likely the student will be placed on a Conditional Contract.

#### 11. Variations and Amendments

- 11.1 As stated in 4.9 above, in exceptional cases it may be more appropriate to apply the Fitness to Study policy rather than this policy where the issue is felt to be a direct result of their learning difficulty, disability or other physical or mental health condition.
- 11.2 At every stage of this process, all staff must be conscious of the needs of students who may be disadvantaged by a process which relies on written communication and formal interviews.
- 11.3 Staff must consider the individual needs of such students and adapt the process, with advice from the Additional Learning Support team, in order to ensure that they are treated fairly and equitably.

#### 11.4 This may include:

- o adapting the language in any written communication;
- o providing additional advice to ensure that the student understands every stage of the process.
- o providing interpretation services at any meetings
- considering the student's ability to understand the Student Charter and the degree to which the student has been supported to understand and follow it.

Version: 03

- 11.5 **Students age 16-18, or vulnerable students with Education, Health & Care Plans**: Wherever practicable, a parent or guardian will be invited to attend stage 2 and 3 meetings, unless in the view of the member of staff conducting the meeting, such attendance would be prejudicial to a fair and effective process. If the student is given a formal written warning or is excluded or suspended, a parent or guardian will be informed in writing wherever practicable. All disciplinary meetings concerning vulnerable students, and students with EHCPs will be in agreement with the Director of Specialist Provision and Support
- 11.6 **Sponsored students**: where a student is being sponsored at the College by an employer and is subject to stage 2 or 3 of these procedures, the employer will be informed where practicable.
- 11.7 **Children Looked After and Care Leavers**: The Safeguarding Manager and Director of Specialist Provision and Support must be informed if any such student is subject to these procedures, so that any relevant external support services can be involved
- 11.8 **Criminal Offences**: Where any member of staff has reason to believe that a student may have committed a criminal offence, the College may refer the matter to the police and may continue action under this procedure or suspend the student pending outcome with the police. The College reserves the right to recommence action under these procedures once any criminal proceedings are known. In cases of alleged gross misconduct where a police investigation is taking, or expected to take, a protracted length of time the College will need to consider whether it is practicable for the student to continue their studies while suspended. If impractical, the college reserves the right to withdraw the student from their studies without prejudice. In such cases, should the criminal case be dropped the student would not be prevented from returning to the college in the future. Due to their unique and rare nature, such situations will be decided on a case by case basis by the Vice Principal.
- 11.9 **Amendments**: It may be necessary to change some procedural aspects of this policy. The College may make such changes as it sees fit subject to informing the student concerned and subject to consideration of fairness. Without limitation, such changes may include meetings or appeals being conducted by different persons where necessary. The College may amend this policy from time to time.

#### 12. Appeals

12.1 Students who wish to make an appeal must do so by writing to the Vice Principal Curriculum, within five working days from the outcome of the

Version: 03

- 12.2 Any appeal must state the grounds for appeal. Appeals may only be made on one or more of the following grounds:
  - The action taken is too severe for the concern in question
  - The student is not guilty of the behaviour of which they are accused
  - This policy has not been correctly followed
- 12.3 Upon receipt of an appeal, the Vice Principal Curriculum will consider the points raised by the appellant and examine the relevant records, to consider whether there are sufficient grounds for an appeal hearing. If there are sufficient grounds, an appeal hearing will be held within 10 working days of receipt of the written appeal wherever possible. If there are no grounds for appeal, the appellant will be informed of this in writing and this decision will be final.
- 12.4 Appeals hearings against Stage 1 and 2 decisions will be held by a relevant Director. Appeal hearings against Stage 3 decisions will be held by a Vice Principal.
- 12.5 An appeal hearing will be arranged which will follow the same format as a disciplinary hearing as detailed above, save that the student will start the hearing by explaining the grounds for their appeal.
- 12.6 The final decision of the appeal chair will be communicated in writing to the student and parent/guardian within 2 working days of the hearing. The decision will be final.
- 12.7 Possible outcomes of an appeal are:
  - Decision upheld
  - Decision amended (e.g. to a less severe course of action)
  - Decision overturned (i.e. no action to be taken against the student)

#### 13. Other Relevant Policies

13.1 In applying this policy, due regard must be given to the following policies where applicable

Version: 03

- Student Attendance Policy
- Fitness to Study Policy
- o College Charter
- Equality, Diversity and Inclusion Policy
- Substance Misuse Policy
- Health and Safety Policy
- Smoking and E-Cigarette/Vaping Policy
- Student Anti-Bullying Policy
- o Comments, Compliments and Complaints Procedure
- Safeguarding and Protection of Children and Adults at Risk Policy & Procedure
- Further Education Fees Policy
- Higher Education Fees Policy

Version: 03



#### **Appendix 1**

Conditional contract for	(Student Name)
Student Reference Number	Date of Birth
Course	
Reason for conditional contract	

As a condition for enrolment at Wirral Met College I agree to conditional status for the first 6 weeks of term. If I do not meet the conditions set out below I may be withdrawn from the course.

At the conclusion of the conditional time period, a review meeting will be held with my Development Coach and parents/guardians (if appropriate) to discuss my progress.

During the conditional time period I will:

- a. achieve appropriate academic progress (participate in class, hand in assignments to deadlines, seek help when needed etc.)
- b. follow policies and guidelines as stated in the college handbook
- c. attend college 100%\* of time including maths & English requirement and be on time for all lessons

Version: 03

- d. meet any additional objectives as set in my Individual Learning Plan (ILP)
- e. attend review meetings as detailed below

Review Meeting 1- Your Development Coach will meet with you at week 2 to review your progress.

Review Meeting 2 – Your Development Coach will advise you of one of the following outcomes:

- 1. the Conditional time period has been successfully achieved
- 2. the Conditional time period will be extended for 1 week
- 3. you will be withdrawn from Wirral Met College as the conditions have not been achieved

I have read and agree to the conditions outlined in this contract.

	Signature	Date Signed
Student		
Parent/ Guardian		
Development		
Coach/		
Tutor/Trainer		
Assessor		
Director (this has		
to be agreed at		
enrolment)		

<sup>\*</sup>exceptions will be made for genuine, verified sickness e.g. with a doctor's note

Version: 03

Agreed date	e for review meeting 1 (Week 2)	
Actions agreed:		
Agreed date	e for review meeting 2 (Week 4)	
Actions agreed:		
		Tick as appropriate
The conditional tim	e period has been successfully achieved	
Conditional time peri	od will be extended (attach details of date and conditions)	
	ndrawn from Wirral Met College as the been met (attach details) Director Approval	
	Comments from Development Coach:	

Version: 03 Status: Open

Uncontrolled document when printed, refer to staff intranet for current version	
Signed: Date:	
Comments from student:	
Signed: Date: Date:	

Copy for Student, Copy for Parent/Guardian, Copy for Curriculum Manager

Version: 03



#### **Appendix 2: Suspension Letter (parent/guardian)**

Date
Dear
I am writing to inform you that **student's name** has been suspended from college until further notice pending an investigation into an allegation of **bullying, physical assault, etc**.
Until this matter is resolved, **student's name** is not allowed to attend any college site, for any purpose unless invited to attend any investigation meeting. Following the investigation, **student's name** will be invited to attend a formal meeting under the Student Disciplinary Policy, and you will be invited to accompany them
Breaching the suspension is regarded as a further serious breach of the disciplinary code and subject to further disciplinary action.
Yours sincerely
Name 
Job title

Version: 03



### **Appendix 3: Invitation to Stage 2 meeting (student)**

Dear
In line with the College's Student Discipline Policy (available on request), I am writing to inform you that a Stage 2 meeting has been arranged with your Head of Department to discuss the following concerns about your behaviour/progress (delete as applicable):
(insert) e.g. allegation of misconduct etc.
Please ensure you attend this meeting. Failure to attend will be considered a further cause for concern, and the meeting may be held in your absence.
If you are age 16-18, your parent/guardian will be invited to attend.
Please report to:
Date:
Time:
Room:
Yours sincerely

Development Coach

Version: 03 Status: Open



#### Appendix 4: Invitation to Stage 2 meeting (parent/guardian)

In line with the College's Student Discipline Policy (available on request), I am writing to inform you that a Stage 2 meeting has been arranged for (student name).

(insert) e.g. allegation of misconduct etc.

This has been arranged to discuss the following concerns about their

behaviour/progress (delete as applicable):

We hope that you are able to attend the meeting. This will be chaired by the Head of Department where there will be an opportunity to discuss the issues raised. If you are able to attend, please report to reception at the following time:

Date:

Time:

If you are unable to attend, you will be informed of the outcome of the meeting.

Yours faithfully

Development Coach

Version: 03 Status: Open



#### **Appendix 5: Invitation to Stage 3 meeting (student)**

Dear In line with the College's Student Discipline and Progress Policy (available on request), I am writing to inform you that a Stage 3 meeting has been arranged with the Director of XXX to discuss the following concerns about your behaviour/progress (delete as applicable): (insert) e.g. allegation of misconduct etc. It is essential you attend this meeting, as possible outcomes include a Final Written Warning, or Exclusion from the college. Failure to attend will be considered a further cause for concern, and the meeting may be held in your absence. If you are age 16-18, your parent/guardian will be invited to attend. Please report to: Date: Time: Room:

Version: 03 Status: Open

Yours sincerely

**Development Coach** 



#### Appendix 6: Invitation to Stage 3 meeting (parent/guardian)

Dear Parent/C	Guardian
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In line with the College's Student Discipline Policy (available on request), I am writing to inform you that a Stage 3 meeting has been arranged for (student name).

This has been arranged to discuss the following concerns about their behaviour/progress (delete as applicable):

(insert) e.g. allegation of misconduct etc.

We hope that you are able to attend the meeting. This will be chaired by the Director of XXX where there will be an opportunity to discuss the issues raised. Please be aware that possible outcomes of this meeting include the issuing of a Final Written Warning, or potentially Exclusion from the college.

If you are able to attend, please report to reception at the following time:

Date:

Time:

If you are unable to attend, you will be informed of the outcome of the meeting.

Yours faithfully

**Development Coach** 

Version: 03