

STUDENT BEHAVIOUR AND MISCONDUCT POLICY

Policy Document Purpose Statement

This document sets out the policy supporting student behavior, misconduct and discipline within Cornwall College Group.

Application

The objective of this document is to provide a framework to promote a positive relationship with all students and outline expected behaviour and obligations to support a fulfilling and successful learning experience at Cornwall College.

Interpretation

Further guidance on the use or interpretation of this policy may be obtained from the responsible post holder.

Legislator / Regulatory Compliance

Compliance with relevant current Health and Safety legislation, Data Protection Act and other legislation / regulations named within the body of the document.

Publication Restrictions

This document is for internal use but can be shared with external bodies if requested.

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STUDENT BEHAVIOUR AND MISCONDUCT POLICY

1. Purpose of the Policy

- 1.1. This policy outlines the expectations we have of our students' behaviour and attitudes in line with the Student Code of Conduct and outlines the associated consequences of failing to meet those expectations. It supports staff in addressing behaviour that challenges, working constructively with individuals or groups of students. Good behaviour and students taking ownership and responsibility for their behaviours supports effective learning and are vital for students at College and for their future life and employment.
- 1.2. The policy aims to embed a framework that focuses on relationship building and maintaining them through high challenge, appropriate support and by building positive connections with families and communities. Principles of restorative practice may be applied to support a positive outcome for unacceptable behaviour.
- 1.3. The overarching principle of this policy is to ensure that all students have access to exceptional education and training and providing them with a safe and supportive environment that fully prepares them to be successful contributing citizens in our society.

2. Scope

- 2.1. This policy applies to **all students** enrolled on a Cornwall College Group course including higher education students and apprentices. In the case of students who are still enrolled with a school, the relevant school will be consulted where behaviour or commitment falls short of what is expected and their school disciplinary processes followed where agreed.
- 2.2. This policy is likely to be used alongside other policies to address specific behaviours such as drugs and substance misuse, online safety, mental health and wellbeing policy, peer on peer and anti-bullying guidance and fitness to study.
- 2.3. Higher Education students must also follow Higher Education Handbooks and awarding institution regulations. This policy can work alongside any other external policies. For example, in deciding the outcome of a stage 2 behaviour concern, the 'Fit for Study' policy from the HEI will be considered to identify the appropriate support or outcomes for the student but the Behaviour and Misconduct Procedure and recording keeping will still be applied.
- 2.4. When a Cornwall College student is also being supported by a partner organisation it may be necessary for the partner organisation's disciplinary policy to be implemented, particularly if they are a "first responder" to a disciplinary issue. When this is the case, the staff involved will notify relevant parties in both institutions with actions and outcomes to ensure mutual support of the student.
- 2.5. It is important that special consideration is given to pre-16 students, Looked After Children / Children in Care, students with an active safeguarding concern, and those students with Special Educational Needs and the guidance in this policy makes particular reference to statutory requirements.
- 2.6. This policy should be applied to student behaviour on all College premises including on campus, outdoor spaces, car parks and residential accommodation. They also apply when travelling to and from College (such as public transport and College buses) or when engaged in learning activities away from College premises (such as trips or in the workplace). The College plays an important role in the local community and reserves the right to follow this policy for any student enrolled

with the College that displays unacceptable behaviour or misconduct outside of College and online.

3. Expectations of Behaviours and Attitudes

- 3.1. We will work with students to help them to understand the behaviours expected of them and put actions in place to support restorative interventions that will help students to be successful.
- 3.2. Whilst some behaviours are linked to incidents that will prompt the action of this policy, in some cases, students may exhibit multiple low level concerns identified and addressed by a range of staff. The preference will always be to address these behaviours immediately to prevent escalation. All staff immediately addressing concerns such as language, interactions, lateness etc in a supportive way can support this. It is important that this is recorded on ProMonitor as a Learner Interaction as we hope the interaction will have a positive influence on future behaviours. However, multiple interactions may identify the need to follow the behaviour stages.
- 3.3. The first part of the process is to identify the concern. This must be evidence based. Based on this initial investigation, the relevant stages can be applied.
- 3.4. We will manage behaviour within 4 stages which move from supportive actions into disciplinary processes.

Stage	Behaviour Management
Stage 1: Informal intervention and support	Focus on restorative principles and actions for change.
Stage 2: Support meeting / Letter of concern	
Stage 3: Formal meeting / written warning	Formal Disciplinary processes with actions for change or exclusion.
Stage 4: Misconduct review	

- 3.5. In all cases, support and action plans will be put in place to enable the student to be successful. The timescales for actions within each stage of the process will vary and can range from 1 day to 2 weeks depending on the time required to see a positive change in behaviour.
- 3.6. Each stage is fully outlined in section 6 of this policy.
- 3.7. Student Responsibilities:
 - 3.7.1. Every student is expected to conform to all regulations set by Cornwall College as communicated within The Cornwall College Group Student Code of Conduct, College Values and the Learning Agreement signed at enrolment.
 - 3.7.2. Students are also required to comply with relevant rules and regulations of the awarding bodies for the qualifications for which they are studying. Failure to comply with any regulation may lead to students being asked to leave their course, college residential accommodation (where relevant), or leave The Cornwall College Group (exclusion).
 - 3.7.3. Students must work to achieve the actions set within any action plans created with them and access the support put in place to be successful.
 - 3.7.4. The safety of our staff and students is paramount and therefore the following items are not allowed in College under any circumstances. Where the investigation evidences these behaviours they will be escalated to at least stage 3 but in many cases will be escalated to a higher level of intervention within the misconduct and disciplinary processes. Minimum stages are outlined with section 3.3.

- Any material or weapon that has been, or is likely to be, used to commit an offence, cause personal injury or damage to property (*tools required for a course should be kept within the curriculum area or stored as directed by course teachers*).
- Alcohol: Possession, consuming or supplying (except for over 18s in licensed areas and permitted areas on campus).
- Drugs (including 'legal highs' and illicit substances in vapes)
 - It is a criminal offence to possess, supply or produce illegal drugs, including any form of Cannabis, except relating to possession of permissible drugs prescribed by a medical practitioner. Any offence will be reported to the police.
 - Prescription drugs: carrying, supplying or taking prescription drugs illegitimately could result in exclusion. The Medication /Medical Policy and Procedure should be followed to ensure safe and appropriate use of prescription medication in college.
 - The College will follow the behaviour policy in all instances of illegal drug or substance possession, or use of any substance that is illegal or could be harmful, when on College property or during off-site College activities. Students may be permanently excluded from being a Cornwall College student if they are found to be involved in drug-related incidents. This includes supplying, possessing, or taking drugs.

3.7.5. Items found in College will be confiscated and may be passed onto the Police. An intervention will take place with the relevant students to assess the impact of actions and preventative action. In some cases, this may lead to disciplinary action, through the College's misconduct processes, especially where the safety of others is at risk.

3.7.6. Where a student's behaviour is unacceptable in line with the Code of Conduct or this policy, student's may have their right to access College services, equipment and resources suspended temporarily by the appropriate member of staff, pending investigation (known as 'directed non-attendance'). The appropriate Campus Principal must be informed as soon as possible if this action is considered to be required (please see section 7 for more details).

3.8. Staff Responsibilities

3.8.1. All members of Cornwall College staff have a responsibility to challenge any unacceptable student behaviour and ensure that it is actioned in line with this policy and procedure.

Actions will vary according to the behaviour and / or frequency of unacceptable behaviour.

3.8.2. All members of Cornwall College staff have a responsibility to ensure that any support put in place is provided to enable a student to be successful when they are following the Student Code of Conduct.

3.8.3. All interventions and support must be recorded on ProMonitor in a timely manner to provide a full record of information.

3.9. Misconduct and disciplinary processes

3.9.1. Misconduct means inappropriate behaviour which breaches acceptable behaviour in line with the College values and code of conduct, is illegal, and / or are of a serious nature.

3.9.2. It is important to understand that even minor breaches of the code of conduct may be treated as misconduct if they are persistent or repeated or where they explicitly contravene the student code of conduct or this policy.

- 3.9.3. Anything that is illegal must be considered as misconduct and managed at stage 3 or 4.
- 3.9.4. The most appropriate 'stage' to address this misconduct should be considered at the investigation stage. To make this decision the staff should consider: the 'impact' (impact on individual and others); the 'risk' (to individual and others) and 'need' (why is the individual behaving in this way, what support is needed).
- 3.9.4.1. If each of the impact / risk / need is low it is likely to be actioned as a positive intervention with stages 1 and 2.
- 3.9.4.2. If any of the impact / risk / need is medium or high, then the further stages are likely to be required.
- 3.9.4.3. In all cases the outcome should be the best support and scenario for the student to be successful in their future.
- 3.9.5. Where bullying and peer on peer behaviours are exhibited, including online, the Anti-Bullying and Peer on Peer Guidance should be used to ensure appropriate support to all involved.
- 3.9.6. Stage 4 behaviour concerns will lead to an outcome of exclusion or a final written warning.
- 3.9.7. Gross misconduct: Any particularly serious case of misconduct, including any situation where the safety of the individual student or the safety of other is at risk, will lead to directed non-attendance (temporary suspension) until the misconduct review procedure can take place. See section 7.

4. Parents / Carers

- 4.1. For many students, their parents and carers play a big part in ensuring that the student is responsible for their own behaviour in College. Where appropriate, we will ask parents and carers to work with the College to support their dependant's learning and behaviour.
- 4.2. Parents and carers will usually be contacted in agreement with the student, but in some circumstances this may be without student consent. In the case of students aged 18 or under on the 31st of August on the year of study, college staff reserve the right to inform parents/carers of any behaviour concern. Parents/carers of students 18 or under on the 31st of August on the year of study will be expected to attend misconduct related review meetings and support any agreed measures put in place by the College.

5. Principles of Restorative Practice

- 5.1. Restorative practice enables us to work with students to take ownership and accountability for their actions but enables the College to help to transform unacceptable behaviour where possible rather than only use punitive solutions.
- 5.2. Restorative practice is based on understanding the cause and effect of actions and involves those directly involved. Accountability for personal behaviour comes from understanding the impact of individual actions and repairing any harm done whether that be to the individual or others.
- 5.3. Restorative practice does not mean that students are not held accountable for their actions and nor does it remove the ability to suspend or exclude learners for misconduct. It enables us to work with students, staff, parents / carers, and other relevant parties to identify the best outcome for the student's future and in the best interests of the College rather than a one size fits all process for all behaviours.
- 5.4. There will always be an action-based outcome for students as a result of intervention to support positive behaviour but this will be based on understanding the reasons for the behaviour and the changes that need to be made.

5.5. The level of intervention and outcomes will vary depending on each situation and there are 4 stages of intervention.

5.6. Student and staff safety will always be taken into account for decisions in relation to this behaviour policy including the safety of individuals, groups and the College as a whole.

6. BRAG ratings for behaviour

6.1. Students are given a risk rating in relation to their engagement and attainment within their qualifications. Students must also be rated for their behaviours and attitudes as part of their tutorial / personal development and participation enrolment.

6.2. BRAG ratings are based on

6.2.1. B: Blue which shows exemplary behaviour and engagement across all elements of the course

6.2.2. R: Red which shows a risk of success and achievement based on engagement and behaviour (including attendance and attitudes to learning)

6.2.3. A: Amber which shows concerns for behaviour and attitudes which need to be supported and improved.

6.2.4. G: Green: Showing all expected behaviours and attitudes to college and studies including working well with others, excellent attendance and engagement in lessons.

6.3. Students who are rated amber or red must have an active behaviour record and support plan.

7. Stages of Intervention and Disciplinary Action

7.1. The process recognises the range of behaviours that may be addressed as part of this policy ranging from non-attendance to gross misconduct. However, all stages can be applied to any behaviour change required.

7.2. Each stage is based on accountability, action and outcomes and starts from informal through a range of formal and supportive processes. It requires input and action from staff and students.

7.3. Stages explained

Stage	Purpose / Aim	Activity	Outcome
Investigation	<p>Identify the behaviour concerns and record this.</p> <p>This must be evidence based and captured on ProMonitor.</p>	<p>Identify the concerns. For multiple low level concerns, the Learner Interactions record will be the primary evidence.</p> <p>Where it is related to an incident or misconduct, an investigation to gain statements from those involved will be required.</p> <p>Anyone can complete this stage but the Programme Manager must be involved in identifying and actioning the next stage. <i>For behaviour within residential accommodation the Residential Lead will identify and action the next stage.</i></p>	<p>Informs which stage should take place next within the policy. Action taken to move to that relevant stage.</p> <p>For some it will move to stage 1 to start a supportive approach to address the behaviour.</p>
Stage 1: Informal intervention and support	<p>Informal intervention for positive changes in behaviour</p> <p>To identify / highlight unacceptable behaviour</p> <p>Identify reasons and impact of behaviour</p> <p>To identify appropriate next steps and if requires escalation.</p> <p>The aim is that most students can be supported at this level rather than escalate.</p>	<p>Meeting with between <u>Programme Manager*</u>, including any other relevant staff member, and student.</p> <p>Discussion and understanding of the situation, impact of actions and reflection on changes to be made for a positive outcome.</p> <p>*Where this stage is specifically for residential behaviour, a Lead team member will undertake this stage.</p>	<p>Action / support / improvement plan reviewed within set timeframe (between 1 and 10 days)</p> <p>Or escalate to a further stage.</p>
Stage 2: Support Meeting	<p>Where initial intervention has been unsuccessful or learner has not engaged in meaningful conversation this stage provides a more formal approach to record actions required.</p>	<p><u>Programme Manager*</u> meets with the student and other relevant staff who could provide support. Include parents / carers if student is 18 or under at enrolment.</p>	<p>Letter of concern and actions / targets. Clear timescales should be set.</p>

		*Residential Lead where the incident relates purely to behaviour within student accommodation. However, the Programme Manager should be included in the meeting to ensure there is wider understanding of the behaviours and potential impact on their studies.	
Stage 3: Formal Meeting	<p>Where concerns have not been addressed through stages 1 and 2, OR in the case of misconduct, this meeting starts a formal disciplinary process.</p> <p>The meeting should review the behaviour that is not acceptable. Students must be given the opportunity to explain actions and reasons for behaviour. The meeting should discuss and agree actions and support identified for the student to make the required changes in order to remain on programme.</p>	<p><u>Curriculum Area Manager</u> meets with student, Student Experience Manager and parents / carers if student is 18 or under at enrolment.</p> <p>Where relevant, the ALS Manager and / or Designated Teacher must be kept informed of these meetings so that other support needs can be considered.</p> <p>Where the incident relates purely to behaviour within student accommodation a member of the residential team will also be involved in leading this meeting with the CAM.</p>	Formal written warning with maximum of 2 week improvement plan with formal review planned.
Stage 4: Misconduct Review Meeting	<p>Where misconduct has been identified through previous investigation (stage 1) or where stages 1 to 3 have been unsuccessful, this meeting will be used to consider support that needs to be in place for one of the following outcomes:</p> <ul style="list-style-type: none"> Continued attendance Exclusion <p>Both need to be considered in the best interests of the student and college.</p>	<p>The formal meeting will be chaired by the relevant Campus Principal with the student, Programme Manager, Student Experience Manager and parents / carers where relevant. Residential team should be included where the student is living in onsite accommodation.</p> <p>Where a student has an EHCP, is in care or has other external support, a pre-meeting must take place with the Local Authority / other relevant agencies to identify the impact of the two potential outcomes, recommendations</p>	<p>One of the following:</p> <p>Formal written warning with maximum 2 week improvement plan with formal review planned. Exclusion will follow where this is not met.</p> <p>Temporary suspension (directed non-attendance) with 2 week improvement plan with formal review planned.</p> <p>Exclusion</p>

		and support to be in place in the result of either outcome. This meeting can require the input from a number of people. The campus principal and the Student Experience Manager should consider what is appropriate and supportive for the student and only include those in the final meeting and address the issues with other stakeholders in a pre-meet.	<i>Outcome will be proposed to relevant ELT member for final decision.</i>
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7.4. The majority of interventions will have an outcome which will include a form of action plan. This is likely to be in the form of an improvement plan with key actions with outcomes that evidence the desired changes. This may also include a support plan outlining the support to be put in place and how the student must engage with this.

7.5. All interventions and action plans must be recorded on ProMonitor in the single relevant behaviour record.

7.6. Students who are on a block week attendance model may be required to attend meetings during non-college time in agreement with employers where behaviour needs to be addressed prior to returning to college. The investigation stage should take place as soon as possible upon identification of the behaviour to identify the appropriate stage and if action needs to take place before the next date of attendance.

8. Directed Non-Attendance and Exclusion

8.1. Directed non-attendance should primarily only be used where the safety of the individual student, or the safety of others, is at risk. This includes the safety of premises and online safety. Substantial potential reputational damage may also lead to directed non-attendance. Any proposed directed non-attendance or exclusion must be agreed by a campus Principal or a member of the Executive Leadership Team and should be following the initial stage 1 process.

8.2. In most cases, students will be able to undertake learning remotely if on directed non-attendance.

8.3. In some cases, access to College systems may be temporarily revoked during directed non-attendance where this is in the best interests of all parties.

8.4. Following a misconduct review meeting, there may be a recommendation to exclude from study and / or prevent use of student accommodation where this is in the best interest of student and the College community. Any decision to exclude will be made by a member of the Executive Leadership Team (ELT) based on information provided from the misconduct review meeting. If the recommendation to exclude is upheld by the ELT member the student and other relevant parties will usually be informed within 5 working days of the misconduct review meeting. This notification will include the right of appeal.

8.5. If the student's conduct has been so serious that any future applications to join Cornwall College Group provision should be risk assessed, a Student Experience Manager, Curriculum Area Manager

or Campus Principal may request that a 'flag' be placed on the system to this effect, ensuring that this includes a contact name for further details.

- 8.6. Where exclusion is being considered, the campus Safeguarding Officer will review the decision to identify if there are any risks to the students safety if no longer attending college or if transition information to external services is required. Students who are excluded will be offered a meeting with a Careers Advisor to provide support for next steps.

9. Students with Special Educational Needs and Disabilities (SEND)

- 9.1. All interventions and support will take account of any special educational needs when considering actions to be taken, including whether or not to exclude a student. There is a legal duty under the Equality Act 2010 not to discriminate against our disabled students by excluding them from the College for behaviour related to their disability. Cornwall College should ensure that reasonable steps have been taken to respond to a student's disability so that they are not treated less favourably for reasons related to the disability.
- 9.2. The Additional Learning Support Manager, or relevant case worker, will be involved for all behaviour concerns for students with SEND to ensure that the support needed is in place and reasonable adjustments can be made.
- 9.3. 'Reasonable steps' could include:
- 9.3.1. differentiation of this behaviour policy and practices based on student SEND needs and support.
 - 9.3.2. consider and review the constitutions from Local Authority contracts
 - 9.3.3. asking the local authority for a statutory assessment of the student's SEN
 - 9.3.4. requesting an early/emergency annual review
 - 9.3.5. consider a multi-agency assessment
 - 9.3.6. arranging additional or different support
 - 9.3.7. developing strategies to prevent and support the student's behaviour
 - 9.3.8. Requesting external support from Local Authority or other professionals
 - 9.3.9. reasonable adjustments within teaching sessions
 - 9.3.10. staff training
- 9.4. Where reasonable adjustments to policies and practices have been made to accommodate a student's behaviour but misconduct continues, a misconduct review meeting may be justified. This will be the case for serious or persistent breaches of the College's behaviour policy or Code of conduct or where allowing them to remain in College would seriously harm the education and welfare of the student or others in the College. Reasonable adjustments will be made to ensure access to the Formal and Misconduct Review Meeting and processes.
- 9.5. The College will take all reasonable steps to resolve problems with respect to misconduct on the part of the student and will liaise with the Local Authority, via the Additional Learning Support Manager, to invite relevant parties to attend misconduct review meetings, including those which may lead to exclusion.
- 9.6. Following the misconduct review meeting, if the recommendation is a formal exclusion, the Local Authority will be informed within 5 days of the misconduct review meeting.
- 9.7. If a student is returning from a fixed term exclusion or temporary suspension, a meeting must be conducted in preparation for the student's return College.

10. Pre-16s

- 10.1. When instigating a disciplinary course of action it must be clearly understood which practices and processes are relevant. Pre-16 students are either:
- 10.1.1. **School Partnership Students:** Attendance at College as a group from a specific school, on a half day or whole day programme. The students are on the school roll and attend school for all other aspects of their education. In the case of this group of students, unless otherwise agreed, school disciplinary policies and procedures will normally apply.
 - 10.1.2. **Direct Entry Students:** Attendance at college as an alternative means of education. Direct entry students must abide by the Student Code of Conduct and all student policies in addition to any other agreements or policies related to the education provided by The Cornwall College Group. Students can only be referred to this provision via two routes:
 - School referral – student stays on school roll but attends college (dual registration). In the case of this group of students, unless otherwise agreed, school disciplinary policies and procedures will normally apply.
 - Local Authority – student must be registered as EHE (Electively Home Educated). In the case of this group of students, unless otherwise agreed, this policy and procedure will normally apply.
- 10.2. For all of our pre-16 students Cornwall College should ensure that reasonable steps have been taken to respond to a student's needs in relation to age and educational circumstance in order that they are not treated less favourably.
- 10.3. 'Reasonable steps' could include:
- 10.3.1. differentiation of this behaviour policy and practices based on age and parental / school responsibilities and involvement.
 - 10.3.2. requesting an early/emergency annual review
 - 10.3.3. consider a multi-agency assessment
 - 10.3.4. arranging additional or different support
 - 10.3.5. developing strategies to prevent and support the student's behaviour
 - 10.3.6. requesting external support from Local Authority or other professionals
 - 10.3.7. reasonable adjustments within teaching sessions
 - 10.3.8. staff training
- 10.4. Where reasonable adjustments to policies and practices have been made to accommodate a student's behaviour but misconduct continues, a misconduct review meeting may be justified. This will be the case for serious or persistent breaches of the College's behaviour policy or Code of conduct or where allowing them to remain in College would seriously harm the education and welfare of the student or others in the College.
- 10.5. The College will take all reasonable steps to resolve problems with respect to misconduct on the part of the student and will liaise with parents / carers (and the Local Authority where relevant) to invite relevant parties to attend misconduct review meetings, including those which may lead to exclusion.

11. Children in Care / Looked After Children / Care Leavers

- 11.1. The campus Designated Teacher must be involved for any meetings related to behaviour of a Child in Care / Looked After Child. You can find out who the Designated Teacher is by contacting the Designated Safeguarding Lead for the campus. They will ensure that the following processes are followed.

- 11.2. In accordance with statutory guidance, together with local authority statutory and non-statutory guidance, where a school has concerns about a looked-after child's behaviour, the local authorities Virtual School Head (VSH) should be informed and, where necessary, involved at the earliest opportunity. This is to enable the VSH, working with others, to:
- 11.2.1. Consider what additional assessment and support (such as additional help for the classroom teacher, one-to-one therapeutic work or a suitable alternative placement) needs to be put in place to address the causes of the child's behaviour and prevent the need for exclusion
 - 11.2.2. Make any additional arrangements to support the child's on-going education in the event of an exclusion.
- 11.3. Additionally, local authority Post 16 Agreement for Young people in Care & Care Leavers states that "If there is a risk that the young person may not be able to stay at the education provision, including any suspension or fixed exclusion:
- Inform the 'lead worker' and the virtual school key contact by phone and email on the day it occurs.
 - Prompt a professionals meeting as appropriate to attempt to resolve issues.
 - Agree to not formally exclude or terminate the young person's course without following the above procedure."
- 11.4. It is important that prior to placing a young person in care or a care leaver on a reduced timetable, through directed non-attendance or exclusion, then the Virtual School Risk Assessment must be completed.

12. Residential Students

- 12.1. Where a student is living within residential accommodation and there are behaviour concerns in relation to their living arrangements or actions outside of college hours or curriculum activity, the behaviour and misconduct procedures will be undertaken by the residential team. Each stage outlines involvement of the residential team and Programme Manager.
- 12.2. The Programme Manager should be involved in of any behaviour concerns or actions.
- 12.3. Where behaviour or misconduct concerns escalate to stage 4 but relates only to behaviour in accommodation, the outcome may lead to exclusion from accommodation only rather than study within the college. However, in all cases, behaviour throughout time at the college will be taken into consideration recognising that the accommodation is provided to enable successful completion of a course of study.

13. Appeal Process

- 13.1. When a decision has been taken to formally exclude a student following a Misconduct Review Meeting, the student will be informed in writing and be given the opportunity to appeal against the decision to an appeal panel. The appeal process can only be used where the student and / or parents / carers believe that this Student Behaviour and Misconduct Review Policy has not been followed or where further information not available at the time of the stage 4 Misconduct Review has become available that therefore require the decision to be reviewed.
- 13.2. This appeal must be made to the Campus Principal (or whoever has sent the decision letter) within 10 days of the date of the letter.
- 13.3. The appeal panel will be chaired by a Deputy Principal or a member of the Executive Leadership Team neither of whom can have previously been involved the matter. In addition to

the chair, the appeal panel will consist of another member College management who has not previously been involved in the matter. The appeal shall be held as soon as possible.

- 13.4. All information relation to the interventions leading to the exclusion **must** be available on ProMonitor within the behaviour records and made available to the appeal panel upon notification of the appeal.
- 13.5. The student will be given the opportunity to make representations, in person or in writing, about their case to the appeal panel, stating any points that need reconsideration or new information / evidence that should be considered, before a decision is reached. For this purpose the student may be accompanied by someone other than a legal representative.
- 13.6. In considering the appeal the Appeal Panel will examine all relevant factors, including whether:
 - 13.6.1. The student has been given the reasons why they have been excluded and the opportunity to explain their case.
 - 13.6.2. All the relevant facts have been considered.
 - 13.6.3. The persons empowered to take the decision on exclusion have acted in good faith.
 - 13.6.4. The relevant procedure and processes have been followed.
- 13.7. The decision of the appeal panel will be communicated in writing to the student within 10 college days of the appeal hearing.
- 13.8. The decision of the appeal panel will be final.
- 13.9. The chair of the appeal panel will inform the relevant Campus Principal, Curriculum Area Manager and Student Experience Manager of the decision so that they can support with any actions necessary to conclude the process.

14. Confidentiality

- 14.1. All disciplinary related suspicions, allegations and investigations will be kept confidential within the College and shared only with those who need to know in accordance with the Data Protection Act (1998)

15. Equality Impact

- 15.1. In accordance with Cornwall College procedures, an equality impact assessment will be undertaken for this policy. In all cases, reasonable adjustments will be considered to ensure that students are not disadvantaged due to protected characteristics in relation to this policy.

16. Related Cornwall College Documents and Policies

- Student Behaviour and Misconduct Procedure
- Peer on Peer Abuse and Anti Bullying Procedure
- Student Code of Conduct
- Residential Code of Conduct and Terms and Conditions
- Safeguarding Policy and Procedures
- Prevent (Extremism and Radicalisation) Policy and Procedure
- Drugs and Substance Misuse Policy