

# Student Disciplinary Policy and Procedures



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# 1. Introduction

## 1.1. Purpose

The purpose of this document is to set out Employ My Ability's (EMA) policy on how breaches of the Student Code of Conduct and unacceptable behaviours are to be dealt with. EMA requires its students to conduct themselves according to the Student Code of Conduct.

The following pages provides guidance to staff, students, parents and carers, on the process of managing unacceptable behaviour that falls below the standards expected of all students during their time in an EMA setting.

Staff will ensure that "reasonable adjustments" are implemented to ensure that no breach of The Equality Act 2010 is made during the course of any disciplinary actions.

## 2. Scope

This policy applies to all EMA directors, staff, students, and education advisors.

## 3. Student Misconduct

Most students whilst they are at EMA are willing to take personal responsibility for their own behaviour and act in a manner that is aligned with EMA's expectations. However, EMA acknowledges that from time to time a student may behave in a way that is unacceptable to the college community i.e. a breach of the standards laid out in the Student Code of Conduct.

Examples of circumstances which may give rise to disciplinary action being taken are listed below (this list is not exhaustive):

- a) A breach of a student's obligations set out in the Student Code of Conduct.
- b) Failure to follow a reasonable instruction from a member of staff.
- c) Smoking or vaping on site (all EMA settings are smoke-free zones).
- d) Bullying, harassment, intimidation, taunting, verbal abuse or the use of any violence, or threat of violence towards any person (including drawing others into extremism).
- e) Deliberately, or by negligence, causing damage to either the property, equipment and resources belonging to EMA, or any third party.
- f) Behaviour that has any adverse effect on any of the services provided by EMA.
- g) Behaviour that is directly or indirectly discriminatory against any of the protected characteristics as defined in The Equality Act, or which is offensive to staff, students, visitors, or members of the public.
- h) A criminal or other dishonest act.
- i) Possession, supply, or use of alcohol, or a weapon.
- j) Behaviour that could bring EMA into disrepute.

**Acts of what EMA deems as Gross Misconduct will not follow stages 1, 2 and 3 and will be dealt with at Stage 4.**

**Parent/Carers may be asked to remove a student from site if they present a risk to either themselves or others.**

**Written warnings will remain on a student's file for at least 12 months and will be reviewed on an annual basis.**

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Should a breach of the above occur the guidance in the following sections are to be followed.

#### **4. Stage 1 - Verbal Warning**

If a minor lapse of acceptable behaviour occurs it is to be dealt with by either by a student's Tutor, or the Centre Manager, as part of the routine management of the student and their learning process. If the issue is of misconduct is repeated or is considered to warrant more formal treatment, then the Tutor or Centre Manager will issue a verbal warning.

The outcome will be recorded in the student's digital file, and an email will be sent to the student's parent/carer outlining the issue together with any interventions made.

#### **5. Stage 2 - Centre Manager Written Warning**

A written warning is to be issued by the Centre Manager when the actions in Stage 1 have not resulted in improvements in the student's behaviour, or, when a student's behaviour warrants that more serious action needs to be taken.

It will be given after meeting with the student to discuss the issue, where an explanation of the behaviour will be sought; the student's response will be taken into account.

The written warning will include:

- a) The rationale for the decision.
- b) An action plan designed to help the student improve within a given time frame.
- c) The consequences of further misconduct.

The outcome will be recorded in the student's digital file, and an email will be sent to the student's parent/carer outlining the issue together with any interventions made.

#### **6. Stage 3 - Head of Education / Designated Safeguarding Lead Written Warning**

The process for a written warning from either the Head of Education (HoE), or Designated Safeguarding Lead (DSL) will be triggered when:

- a) A student has failed to comply with a written warning and action plan issued at Stage 2, or...
- b) When a student's behaviour has been repeated after receiving a written warning at Stage 2, or...
- c) When a student's behaviour is deemed as serious misconduct and therefore requiring a higher level of disciplinary action.

##### **6.1. Invitation to meeting**

The student will be invited to attend a meeting with either the HoE or DSL; this invitation will confirm:

- d) The time and location of the meeting.
- e) Details of issues that need to be addressed.
- f) A summary of any evidence that is relevant to the issue (this may include historical behavioural issues if they are related)

##### **6.2. Right to be accompanied**

A student has the right to be accompanied by:

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- a) A friend.
- b) Student representative.
- c) Relative.

The person who accompanies the student will be entitled to state the student’s case before any decision is taken.

**6.3. At the meeting**

The HoE/DSL will discuss the issue with the student, and an explanation of the behaviour will be sought; the student’s response will be taken into account.

A decision on further actions will not be made in the meeting.

**6.4. After the meeting**

After considering the facts presented at the hearing, the HoE or DSL will decide whether to:

- a) Issue a written warning.
- b) A lesser sanction.
- c) Take no further disciplinary action.

In all cases the decision will be notified to the student in writing, and it will include:

- d) The rationale for the decision.
- e) An action plan designed to help the student improve within a given time frame.
- f) The consequences of further misconduct, specifically stating any further, or repeated similar behaviour may result in either a fixed term or permanent exclusion from EMA.

The outcome will be recorded in the student’s digital file, and an email will be sent to the student’s parent/carer outlining the issue together with any interventions made.

**7. Stage 4 - Gross misconduct; or further misconduct after a HoE/DSL Written Warning**

The process for a Stage 4 disciplinary hearing from the Head of Education (HoE), will be triggered when:

- a) A student has failed to comply with a written warning and action plan issued at Stage 3, or...
- b) When a student’s behaviour has been repeated after receiving a written warning from at Stage 3, or...
- c) When a student’s behaviour is deemed as gross misconduct and therefore requiring a higher level of disciplinary action.

A student may be excluded from EMA for a fixed period of time and with immediate effect, pending an investigation and a disciplinary hearing, by the Head of Education or Designated Safeguarding Lead when the HoE/DSL assess there to be sufficient reason to believe a student has committed an act of gross misconduct. (If neither the HoE or DSL are available, they are to nominate another member of the Senior Management Team to act on their behalf). When it is clear that an incident of gross misconduct has occurred then EMA reserves the right not to investigate.

This course of action is only to be taken where there is sufficient reason to conduct an investigation, and the period of exclusion is to be seen as a ‘neutral act’ to provide EMA with a suitable period of time to carry out an investigation.

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Any such exclusion will be confirmed in writing and the student will be invited to a disciplinary hearing with the HoE.

During a disciplinary hearing, new evidence may be disclosed which warrants further investigation. In this scenario the hearing may be adjourned, and the student's exclusion extended to allow time for further investigation. This will be followed up by a written confirmation of the same.

Where a student has been entered for external examinations that take place during their period of exclusion, EMA will wherever possible, facilitate arrangements that allow for the student to sit the examinations.

### **7.1. Invitation to a disciplinary hearing**

The student will be invited to attend a disciplinary hearing with either the HoE or DSL; this invitation will confirm:

- a) The time and location of the meeting.
- b) Details of issues that need to be addressed.
- c) A summary of any evidence that is relevant to the issue (this may include historical behavioural issues, if EMA believe they are related).

### **7.2. Student support & right to be accompanied**

A student has the right to be accompanied by:

- a) A friend.
- b) Student representative.
- c) Relative.
- d) A professional or legal advisor may be allowed to attend, at the discretion of the HoE/DSL.

The person who accompanies the student will be entitled to state the student's case before any decision is taken.

Support will be given to the student by relevant EMA staff prior to the hearing to help them prepare for what it will be like.

### **7.3. Confirmation of attendance**

A student who has been invited to a disciplinary hearing, will need to:

- a) Confirm that they will be attending.
- b) Be made aware that if they do not, EMA will conduct the hearing in their absence.

### **7.4. At the disciplinary hearing**

The HoE will discuss the issue with the student (state the case), and an explanation of the behaviour will be sought; the student's response will be taken into account.

A student may be supported during the meeting by either the Centre Manager, a Tutor, or Learning Support Worker; their role would be to assist in the process of taking a student through the allegation(s) of misconduct.

A student will be invited to:

- a) State their case.

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- b) State any mitigating factors.
- c) State whether the allegations are true or disputed.

The student will be expected to provide evidence supporting their case.

A decision on further actions will not be made at the disciplinary hearing.

### 7.5. After the disciplinary hearing

After considering the facts presented at the hearing, the HoE will decide whether to:

- a) Issue a final written warning.
- b) Issue a fixed term exclusion.
- c) Permanently exclude the student.
- d) Take no further action.

In all cases the decision together with the rationale for it, will be notified to the student in writing.

The outcome will be recorded in the student’s digital file, and an email will be sent to the student’s parent/carer outlining the issue together with any interventions made.

## 8. Exclusions

### 8.1. Fixed term exclusions

Dependent on the nature of the misconduct that was confirmed beyond reasonable doubt to have taken place, a fixed term exclusion may be more appropriate than permanent exclusion from EMA.

Before making a fixed term exclusion the HoE will:

- a) Be satisfied that EMA has taken all reasonable steps to resolve problems with respect to the student’s misconduct.
- b) Have consulted with the SEND team at Local Authority (LA) at an earlier stage in the process, so that the LA were aware of the developing problem and have had the opportunity to work with the student, their parent/carer and EMA to resolve the difficulty.
- c) Keep the exclusion period to a minimum.
- d) Not impose a fixed term exclusion of more than **45 days** in any academic year.
- e) Convene a meeting with the LA during the exclusion period, with the purpose of devising a strategy plan for student’s return.
- f) Consider what outreach may be appropriate, so as to continue the student’s education whilst they are excluded.
- g) Ensure an action plan is designed to help the student improve within a given time frame.
- h) Ensure a student is aware of the consequences of further misconduct, specifically stating any further, or repeated similar behaviour may result in either a fixed term or permanent exclusion from EMA.

### 8.2. Permanent exclusion

In certain cases, and most likely in the case of gross misconduct, EMA may decide to permanently exclude the student.

Before making a permanent exclusion, the HoE will:

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- a) Be satisfied that EMA has taken all reasonable steps to resolve problems with respect to the student’s misconduct.
- b) Have consulted with the Local Authority (LA) at an earlier stage in the process, so that the LA were aware of the developing problem and have had the opportunity to work with the student, their parent/carer and EMA to resolve the difficulty.

Once the decision has been made to permanently exclude a student, EMA will:

- c) Notify the LA by phone immediately.
- d) Send the LA a written confirmation within **3 working days**.

## 9. Appeal against permanent exclusion

Appeals can only be made against permanent exclusions, for all other decisions and disciplinary sanctions, EMA’s decision is final.

Following a disciplinary hearing, a student will have a right of appeal to a Director of EMA against a recommendation for permanent exclusion.

Any appeal must be:

- a) In writing.
- b) Sent to [compliance@employability.org.uk](mailto:compliance@employability.org.uk) .
- c) Made within **10 working days** of the date of appeal outcome letter.
- d) Contain the grounds and brief particulars of the appeal.

If a Director deems there to be sufficient grounds, and the appeal is received within the specified timeframe, an appeal hearing with a Director will be arranged to take place as soon as possible, but within **15 working days** of the appeal being received by EMA.

Appeals without new evidence, or focussing on procedural irregularity may be dismissed by a Director.

### 9.1. Student support & right to be accompanied

A student has the right to be accompanied by:

- a) A friend.
- b) A Relative.
- c) A professional or legal advisor may be allowed to attend, at the discretion of the Director.

To prevent future conflicts of interest, EMA will not allow another member of its student cohort to attend the appeal hearing.

### 9.2. Preparation for the appeal

Any documents considered at the disciplinary hearing will be:

- a) Available for the purposes of the appeal, together with minutes taken during the hearing.
- b) Shared with the student and their parent/carer in good time ahead of the appeal hearing.

Prior to the hearing a Director will ask the HoE to provide:

- c) An overview of the case
- d) The rationale behind the decision to permanently exclude a student.

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A student, or their parent/carer may submit documents to be considered at the appeal, these are to be sent together with the original application for appeal – documents received after this point will be rejected. Depending on the volume of documents submitted by a student/parent/carer, the Director may work with the appellant to agree further time to consider the information before the appeal is heard.

### **9.3. At the appeal hearing**

The student will be invited to explain the grounds of the appeal and to state their case

The Director running the appeal hearing may request attendance of Head of Education, or DSL (or their nominated deputy) in order to fully respond to the appeal.

The Director may ask questions of a student, their parent/carer and the HoE/DSL.

Other students, staff or witnesses will not normally be asked to attend, unless new evidence that is relevant has come to light since the original disciplinary hearing.

### **9.1. After the appeal hearing**

The Director will then consider whether to:

- a) Uphold the decision of permanent exclusion and dismiss the appeal, or...
- b) To action a different outcome.

The final decision made by a Director will be confirmed in writing to the student within **five working days** of the appeal hearing.

The outcome will be recorded in the student’s digital file, and an email will be sent to the student’s parent/carer outlining the issue together with any interventions made.

If a student or their parent/carer which to pursue further redress they are to make contact in the first instance with the Local Authority, as there is no further right of internal appeal.

## **10. Recording of misconduct**

Any actions taken in relation to this policy must be recorded in a Student’s individual folder on SharePoint, with all supporting documents also saved in the same location.

Supporting documents include but are not limited to: letters used from the annexes to this policy; witness statements; MIS entries; any other evidence; meeting notes; and email correspondence.

## **11. Roles & responsibilities**

As defined in the above.

## **12. Implementation**

The Senior Management Team at EMA have overall responsibility for the implementation of this policy; however, all employees are required to adhere to and support its implementation.

All employees are to be made aware of any changes to this policy.

## **13. Support, advice and communications**

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Requests for further advice, support or implementation guidance on this policy can be obtained from [compliance@employability.org.uk](mailto:compliance@employability.org.uk) .

## 14.Review

This policy will be reviewed annually, following which the revision number and date will be updated to ensure that staff always know that they are referencing the correct policy.

Should there be a need to change the content of the policy before its annual review date then please send a notification to [compliance@employability.org.uk](mailto:compliance@employability.org.uk)

## 15.Associated documents

Student Code of Conduct

Anti Bullying Policy

Promoting Positive Behaviours Policy

Managing Allegation Policy

Investigation Policy

Safeguarding Policy

Staff Welfare Policy

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## Annex A – Student Code of Conduct

Employ My Ability Student Code of Conduct sets out the standard of conduct the College expects of its learners so that everyone can learn in a supportive and non-threatening environment. Students are expected to behave responsibly on campus and also on trips and visits associated with the College.

### We will:

- Treat you with respect and dignity
- Maintain professional boundaries, even during difficult or exceptional circumstances.
- Be open and honest with you in all communications you receive from us during your time with us.
- Challenge any attitudes or behaviours that do not meet our expectations of staff, volunteers or young people.
- Respond to any concerns relating to your safety and wellbeing and provide support and guidance when it's needed.
- Protect your personal information.
- Maintain complete confidentiality, unless we need to share your information to protect you or someone else (if any action is needed, we will always communicate this with you where possible)

### What we expect from you:

- Treat everyone with dignity and respect (face to face and electronically)
- Listen to the staff, volunteers and/or the person who is speaking, follow the instructions given to me, and if I'm unsure about anything ask for support.
- Be on time for timetabled sessions and work experience and come prepared and ready to participate.
- Be kind and considerate to everyone.
- Understand the importance of personal privacy and confidentiality.
- Respect the boundaries of other people.
- Be supportive of others – because everyone has different life experience, and approaches to problems and opportunities.
- All mobile phones must be switched off whilst you are in class, unless they are to be used as part of the lesson and this is directed and agreed with the teacher.

### To do this you should not:

- Be under the influence of alcohol, illegal drugs, legal highs or any other non-prescribed psychoactive substances, or bring these into college.
- Engage in any violent or threatening behaviour.
- Bully, harass or discriminate against any member of the College community.
- Use College facilities to send or view any obscene, offensive, or illegal material.
- Behave in a manner, within or outside College that may bring the College into disrepute. This includes any criminal or antisocial behaviour.
- Share the personal information and/or confidential details of anyone.
- Carry offensive weapons, knives, or firearms of any kind.

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**Bullying and Harassment**

Any incident of bullying, harassment, intimidation, threatening or violent behaviour will be fully investigated and may result in disciplinary action. This includes incidents which take place via electronic communications, e.g., social networking, text, or email.

**Offensive Weapons**

Possession of an offensive weapon will lead to immediate suspension and the initiation of learner behaviour procedures, including the possibility of exclusion.

**Smoking**

Smoking, including the use of e-cigarettes/Vapes, is only permitted in designated smoking areas.

**Substance Misuse**

The use or possession of illicit drugs and alcohol is not tolerated on College premises. Being in possession or under the influence of either of these substances will lead to immediate suspension.

I, \_\_\_\_\_ (student's name), understand and agree to follow the above rules and expectations and understand that if I don't it may result in disciplinary action.

**Student Name (print):**

**Student Signature:**

**Date:**

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# Annex B - Student Disciplinary Policy - Easy-Read

## 1. What is this document about?

- **Why do we have this policy?**

- This policy helps everyone understand what happens if a student breaks the rules at **Employ My Ability (EMA)**.
- EMA expects all students to behave well and follow the rules.

## 2. Who does this apply to?

- This policy is for everyone at EMA:

- **Students**
- **Staff**
- **Directors**
- **Education Advisors**

## 3. What is student misconduct?

- Most students behave well, but sometimes, a student may do something wrong. This is called **misconduct**.
- Some things that are not allowed include:
  - Breaking the **Student Code of Conduct**.
  - Not listening to staff.
  - **Smoking or vaping** on college grounds.
  - **Bullying**, threatening, or hurting someone.
  - Breaking things at college.
  - Bringing alcohol or weapons to college.

## 4. What happens if a student breaks the rules?

### Stage 1: Verbal Warning

- If you break the rules in a small way, your **Tutor** or **Centre Manager** will talk to you.
- They will explain what you did wrong and ask you to behave better next time.
- Your parents or carers will get an email telling them about the warning.

### Stage 2: Written Warning from Centre Manager

- If you keep breaking the rules, you will get a **written warning**.
- The Centre Manager will talk to you and write down:

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- What you did wrong.
- How you can improve.
- What will happen if you continue to misbehave.
- Your parents or carers will get an email about the warning.

### Stage 3: Written Warning from Head of Education or Designated Safeguarding Lead

- If your behaviour doesn't get better, or if it is serious, the **Head of Education (HoE)** or **Designated Safeguarding Lead (DSL)** will meet with you.
- You can bring a **friend, family member, or student representative** with you.
- The HoE or DSL will decide what happens next:
  - Another warning.
  - A punishment.
  - Or, no further action.

### Stage 4: Gross Misconduct or Further Misconduct

- **Gross misconduct** means very serious bad behaviour.
- If you do this, you might be **excluded** from EMA. This could be for a short time or forever.
- You will be invited to a meeting with the Head of Education to discuss what happened.
- Again, you can bring someone to support you at the meeting.

## 5. If you are excluded

- If the HoE decides to exclude you:
  - It might be for a few days (**fixed-term exclusion**).
  - It could also be **permanent**, meaning you cannot return to EMA.
- If excluded, EMA will still help you with your learning, especially if you have exams coming up.

## 6. Right to appeal

- **What is an appeal?**
- An appeal is when you ask for a decision to be looked at again because you think it is unfair.
  - If you are permanently excluded, you can appeal the decision.
  - You need to write to EMA within 10 days to ask for an appeal.
  - You can have a friend, relative, or advisor with you during the appeal.

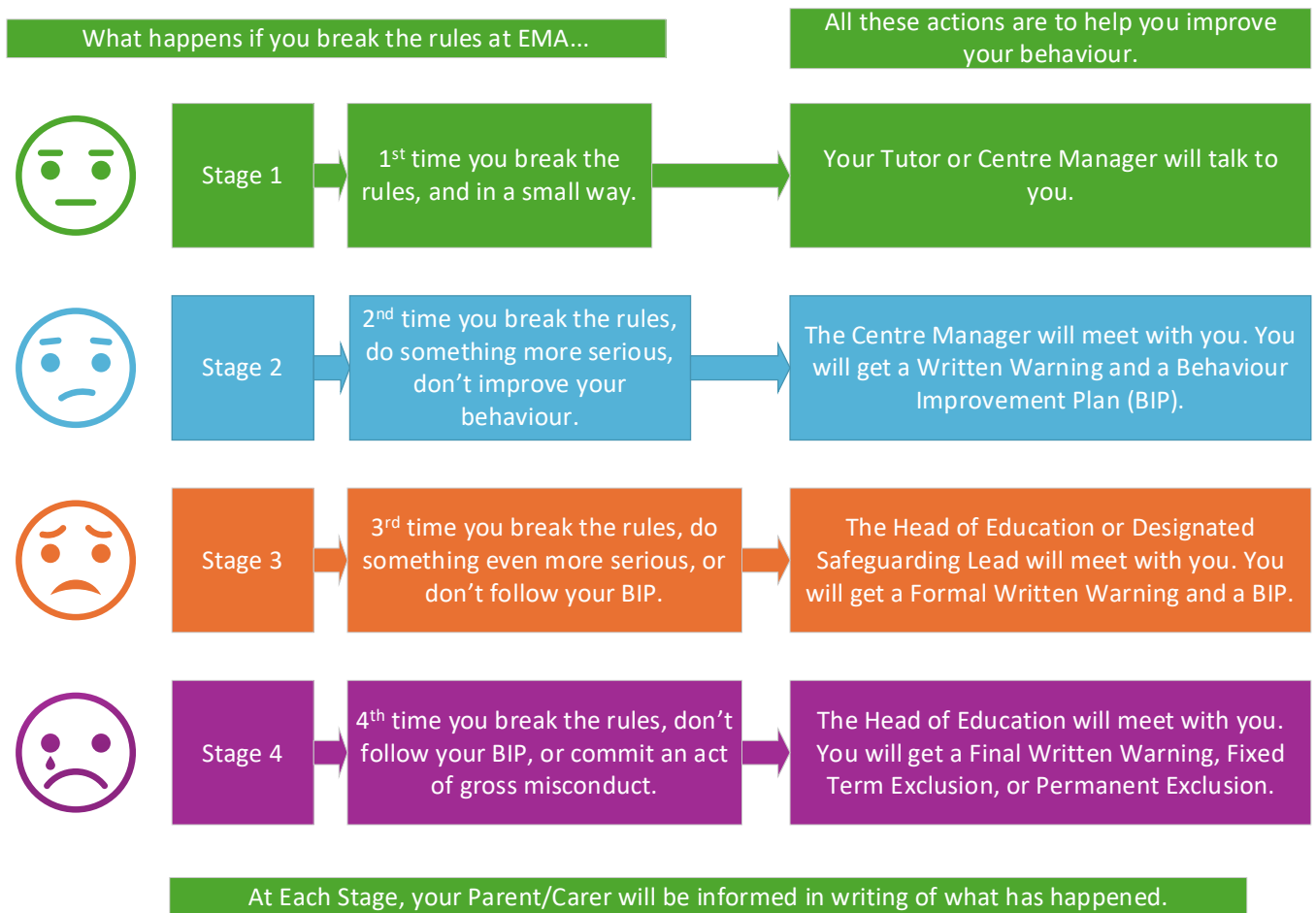
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## 7. Recording of Misconduct

- Any actions taken about student misconduct must be saved in the student's folder on SharePoint. This includes all important documents like letters, witness statements, meeting notes, and emails.
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## Annex C – Student Disciplinary Policy - Flow Chart



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## Annex D – Social story for attending a disciplinary hearing



Disciplinary Meeting



You have been asked to attend a disciplinary meeting because



EMA



rules have been broken. The meeting will be with James.



You can bring someone with you: a parent, family member, friend or other



representative.



Your representative can help you understand what is said.



Your representative can help you talk about what happened.



James will listen to what you say.



He will write a letter telling you what he has decided.

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**Annex E – Template email for recording a Stage 1 verbal warning**

**A COPY MUST BE PUT INTO AN EASY READ FORMAT TO SEND TO A STUDENT.**

**The below is to be sent to: Parent/Carer; Tutor; Centre Manager; DSL; HoE.**

[INSERT DATE]

[INSERT STUDENT NAME]

[INSERT STUDENT ADDRESS]

Dear [INSERT STUDENT NAME],

Thank you for meeting with me today when we discussed [INSERT DETAILS].

As stated at our meeting, you received a verbal warning from me about this, and this is the first stage in EMA’s Student Disciplinary Policy.

We are committed to working with you to help you improve your behaviour and prevent the matter escalating any further.

Please feel free to reach out if you need any assistance or if there are any underlying issues contributing to your behaviour that you would like to discuss.

We hope that you will take this opportunity to make positive changes. Your cooperation and commitment to improving your conduct are crucial for your continued success.

Best regards,

[Tutor/Centre Manager]

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## Annex F – Template for outcome letter following a Stage 2 meeting

**A COPY MUST BE PUT INTO AN EASY READ FORMAT TO SEND TO A STUDENT.**

**The below is to be sent to: Parent/Carer; Tutor; Centre Manager; DSL; HoE.**

[INSERT DATE]

[INSERT STUDENT NAME]

[INSERT STUDENT ADDRESS]

**Subject: Stage Two Outcome - Breach of Student Disciplinary Policy**

Dear [STUDENT'S NAME],

I am writing to inform you of your current standing within the behaviour management framework at Employ My Ability. Following the recent incident(s), it is important to address your behaviour and ensure you understand the potential consequences if it continues.

On [INSERT DATE OF VERBAL WARNING], you were issued a verbal warning (Stage One) for [BRIEFLY DESCRIBE THE BEHAVIOUR THAT LED TO THE VERBAL WARNING]. This warning was intended to serve as a clear indication that such behaviour is not acceptable and must not continue.

Unfortunately, since that time, there have been further reports of [DESCRIBE THE CONTINUED OR NEW BEHAVIOUR THAT HAS LED TO STAGE TWO]. This is concerning, as it indicates a lack of improvement or adherence to the expectations outlined in the verbal warning.

Thank you for meeting with me recently when we discussed [INSERT DETAILS], however it has been decided to issue this Written Warning in accordance with Stage Two of our Student Disciplinary Policy; this will remain on your student file for 12 months, at which point it will be reviewed.

Please understand that any further incidents or failure to modify your behaviour could result in escalation to Stage Three. Stage Three involves a formal written warning from the Head of Education or Designated Safeguarding Lead, which could lead to more severe consequences including potential exclusion from the college.

I encourage you to take this matter seriously and reflect on your actions. We are here to support your development and success and will work with you to implement a Behaviour Improvement Plan which is designed to help you to improve your behaviour; part of that is ensuring that all students adhere to the standards of conduct expected at Employ My Ability.

Please feel free to reach out if you need any assistance or if there are any underlying issues contributing to your behaviour that you would like to discuss.

We hope that you will take this opportunity to make positive changes. Your cooperation and commitment to improving your conduct are crucial for your continued success.

Yours sincerely,

[Centre Manager's Name]

Centre Manager

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**Annex G – Template invitation letter to a Stage 3 disciplinary meeting**  
**A COPY MUST BE PUT INTO AN EASY READ FORMAT TO SEND TO A STUDENT.**  
**The below is to be sent to: Parent/Carer; Tutor; Centre Manager; DSL; HoE.**

[INSERT DATE]

[INSERT STUDENT NAME]

[INSERT STUDENT ADDRESS]

**Subject: Stage Three – Possible breach of Student Disciplinary Policy**

Dear [STUDENT'S NAME],

I am writing to you in my capacity as the [HEAD OF EDUCATION/DESIGNATED SAFEGUARDING LEAD] at Employ My Ability regarding your recent behaviour and the steps we must now take in accordance with our Student Disciplinary Policy.

As you are aware, you have already received:

- A verbal warning (Stage One) on [INSERT DATE OF VERBAL WARNING]
- A written warning (Stage Two) on [INSERT DATE OF STAGE TWO WARNING]

[THIS/THESE WARNING(S) IS/ARE] due to [BRIEFLY DESCRIBE THE BEHAVIOUR THAT LED TO THE PREVIOUS WARNINGS].

Despite [THIS/THESE WARNING(S)] and the opportunities given to amend your behaviour, it is disappointing to note that there appears to have been no significant improvement, and further incidents of [DESCRIBE THE CONTINUED OR NEW BEHAVIOUR] have occurred.

Given this continued breach of our policy, it is necessary to escalate this matter to Stage Three. This stage requires you to attend a disciplinary meeting to discuss the seriousness of the situation and the potential consequences; the details of the meeting are below:

**Date:** [INSERT DATE OF MEETING]

**Time:** [INSERT TIME OF MEETING]

**Location:** [INSERT LOCATION OF MEETING]

During this meeting, we will discuss your behaviour, hear your perspective, and determine the appropriate course of action. Depending on the outcome of this discussion, I may decide to issue a formal a Formal Stage Three Written Warning. This warning would be a serious step and reflective of your misconduct.

It is also important to make you aware that if so required, there is no immediate and sustained improvement in your behaviour following a Stage Three warning, I will have no option but to move to Stage Four of our policy. Stage Four could result in a Final Written Warning, or a Fixed Term or Permanent exclusion from EMA, which would be a regrettable but necessary action if the behaviour continues.

Please ensure you attend the disciplinary meeting at the scheduled time. If you have any evidence or wish to provide any statements in your defence, you are encouraged to bring them to the meeting. You may also have a support person present if you feel it would be beneficial.

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We sincerely hope that you will take this opportunity to reflect on your actions and make the necessary changes to positively continue your educational journey with us. Our aim is always to support you, but this support must be reciprocated with a commitment to adhering to the standards expected of all students.

I look forward to our meeting and to resolving this matter in a way that supports your success.

Yours sincerely,

[HoE / DSL NAME]

[Head of Education / Designated Safeguarding Lead]

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**Annex H - Template for outcome letter following a Stage 3 disciplinary meeting**  
**A COPY MUST BE PUT INTO AN EASY READ FORMAT TO SEND TO A STUDENT.**  
**The below is to be sent to: Parent/Carer; Tutor; Centre Manager; DSL; HoE.**

[INSERT DATE]

[INSERT STUDENT NAME]

[INSERT STUDENT ADDRESS]

**Subject: Stage Three Outcome - Breach of Student Disciplinary Policy**

Dear [STUDENT'S NAME],

I am writing to inform you of your current standing within the behaviour management framework at Employ My Ability. Following the recent incident(s), it is important to address your behaviour and ensure you understand the potential consequences if it continues.

As you are aware, you have already received [AMEND AS REQUIRED] a verbal warning (Stage One) on [INSERT DATE OF VERBAL WARNING] and a written warning (Stage Two) on [INSERT DATE OF STAGE TWO WARNING] due to [BRIEFLY DESCRIBE THE BEHAVIOUR THAT LED TO THE PREVIOUS WARNINGS]. Despite these warnings and the opportunities given to amend your behaviour, it is disappointing to note that there has been no significant improvement, and the further incident(s) of [DESCRIBE THE CONTINUED OR NEW BEHAVIOUR] have occurred.

You attended a disciplinary meeting with me on [INSERT TIME AND DATE] to discuss the situation in more detail. I have now considered all of evidence that I believe to be relevant to your circumstances, and have decided that:

[Issuing you a Stage 3 Written Warning is the only course of action to take as an appropriate sanction to your behaviour; this will remain on your student file for 12 months, at which point it will be reviewed...ADD MORE DETAILS AS NECESSARY.]

<<<OR...>>>

[DETAIL LESSER SANCTION AND RATIONALE...]

<<<OR...>>>

[EXPLAIN WHY NO FURTHER DISCIPLINARY ACTION WILL BE TAKEN....]

[DELETE PARAGRAPH IF NO ACTION BEING TAKEN...] Please understand that any further incidents or failure to modify your behaviour could result in escalation to Stage Four. Stage Four involves a formal disciplinary hearing with the Head of Education, which could lead to more severe consequences such as a Final Written Warning, a Fixed Term or Permanent Exclusion from EMA.

[DELETE PARAGRAPH IF NO ACTION BEING TAKEN...] I encourage you to take this matter extremely seriously and reflect on your actions. We are here to support your development and success and will work with you to [IMPLEMENT/UPDATE] a Behaviour Improvement Plan which is designed to help you to improve your behaviour; part of that is ensuring that all students adhere to the standards of conduct expected at Employ My Ability.

Please feel free to reach out if you need any assistance or if there are any underlying issues contributing to your behaviour that you would like to discuss.

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We hope that you will take this opportunity to make positive changes. Your cooperation and commitment to improving your conduct are crucial for your continued success.

Yours sincerely,

[HoE / DSL NAME]

[Head of Education / Designated Safeguarding Lead]

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**Annex I - Template invitation letter to a Stage 4 disciplinary meeting**  
**A COPY MUST BE PUT INTO AN EASY READ FORMAT TO SEND TO A STUDENT.**  
**The below is to be sent to: Parent/Carer; Tutor; Centre Manager; DSL; HoE.**

[INSERT DATE]

[INSERT STUDENT NAME]

[INSERT STUDENT ADDRESS]

**Subject: Stage Four – Potential breach of Student Disciplinary Policy**

Dear [STUDENT'S NAME],

I am writing to you in my capacity as the Head of Education at Employ My Ability regarding your recent behaviour and the further steps we must now take in accordance with our Student Disciplinary Policy.

<<<FOR GROSS MISCONDUCT USE THIS PARAGRAPH...

You committed an act of Gross Misconduct on [INSERT TIME & DATE], which was evidenced by [INSERT DETAILS I.E. Injured another student, brought a weapon onto site etc...]

As stated in Section 3 of EMA's Student Disciplinary Policy, for any act of Gross Misconduct EMA reserves the right to place you immediately at Stage 4 of our disciplinary process. Therefore, given the seriousness of the situation you are required to attend a formal disciplinary hearing with the Head of Education to discuss your conduct, the details of the meeting are below:>>>

<<<FOR ESCALATED MISCONDUCT THROUGH EARLIER STAGES USE THIS PARAGRAPH...

As you are aware, you have already received:

- A verbal warning (Stage One) on [INSERT DATE OF VERBAL WARNING]
- A written warning (Stage Two) on [INSERT DATE OF STAGE 2 WARNING]
- A formal written warning (Stage Three) on [INSERT DATE OF STAGE 3 WARNING]

[THIS/THESE WARNING(S) IS/ARE] due to [BRIEFLY DESCRIBE THE BEHAVIOUR THAT LED TO THE PREVIOUS WARNINGS].

Despite these warnings and the opportunities given to amend your behaviour, it is disappointing to note that it appears that there have been no significant improvements, and further incidents of [DESCRIBE THE CONTINUED OR NEW BEHAVIOUR] have occurred.

Given this continued breach of our policy, it is necessary to escalate this matter to Stage Four. This stage requires you to attend a disciplinary hearing to discuss the seriousness of the situation and the potential consequences; the details of the meeting are below:>>>

**Date:** [INSERT DATE OF MEETING]

**Time:** [INSERT TIME OF MEETING]

**Location:** [INSERT LOCATION OF MEETING]

During this meeting, we will discuss your behaviour, hear your perspective, and determine the appropriate course of action. Depending on the outcome of this discussion, I may decide to issue a

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formal Final Written Warning or issue a Fixed Term, or Permanent Exclusion from EMA. Any such sanction is extremely serious and would be reflective of your misconduct.

It is also important to make you aware that if there is no immediate and sustained improvement in your behaviour following a Final Written Warning or Fixed Term Exclusion, the only option that remains is for you to be Permanently Excluded from EMA, which would be a regrettable but necessary action if the behaviour continues.

Please ensure you attend the disciplinary meeting at the scheduled time. If you have any evidence or wish to provide any statements in your defence, you are encouraged to bring them to the meeting. You may also have a support person present if you feel it would be beneficial.

We sincerely hope that you will take this opportunity to reflect on your actions and make the necessary changes to continue your educational journey with us. Our aim is always to support you, but this support must be reciprocated with a commitment to adhering to the standards expected of all students.

I look forward to our meeting and to resolving this matter in a way that supports your success.

Yours sincerely,

[HoE name]

Head of Education

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## Annex J – Template for a Final Written Warning, or Fixed Term Exclusion following a Stage 4 disciplinary hearing

**A COPY MUST BE PUT INTO AN EASY READ FORMAT TO SEND TO A STUDENT.**

**The below is to be sent to: Parent/Carer; Tutor; Centre Manager; DSL; HoE.**

[INSERT DATE]

[INSERT STUDENT NAME]

[INSERT STUDENT ADDRESS]

**Subject: Stage Four Outcome - Breach of Student Disciplinary Policy**

Dear [STUDENT'S NAME],

I am writing to inform you of your current standing within the behaviour management framework at Employ My Ability. Following the recent incident(s), it is important to address your behaviour and ensure you understand the potential consequences if it continues.

Thank you for meeting with me on [INSERT TIME/DATE] when we discussed [INSERT DETAILS]. I have now reviewed our discussion and all the documentation that I believe are relevant to the incident.

Despite previous warnings listed below and the opportunities given to amend your behaviour, it is disappointing to note that there has been no significant improvement.

- A verbal warning (Stage One) was issued on [INSERT DATE OF VERBAL WARNING]
- A written warning (Stage Two) was issued on [INSERT DATE OF STAGE 2 WARNING]
- A formal written warning (Stage Three) was issued on [INSERT DATE OF STAGE 3 WARNING]

[THIS/THESE WARNING(S) WAS/WERE] due to [BRIEFLY DESCRIBE THE BEHAVIOUR THAT LED TO THE PREVIOUS WARNINGS].

I have concluded that your recent actions amount to a serious breach of conduct on your part.

<<<Therefore, I have decided that issuing you a **Stage 4 Final Written Warning** is the only course of action to take as an appropriate sanction to your behaviour; this will remain on your student file for 12 months, at which point it will be reviewed. [ADD MORE DETAILS AS NECESSARY.]>>>

<<<OR...>>>

<<<Therefore, I have decided that **Temporarily Excluding** you from EMA for a period [INSERT NUMBER OF DAYS] is the only course of action to take as an appropriate sanction to your behaviour. You are not permitted to attend any EMA site until your scheduled return to college on [INSERT RETURN DATE].>>>

This sanction will remain on your student file for 12 months, at which point it will be reviewed.

Please understand that any further incidents or failure to modify your behaviour could result in a further a disciplinary hearing, and the only further sanction left available to EMA at that point would be **Permanent Exclusion** from college.

I encourage you to take this matter extremely seriously and reflect on your actions. We are here to support your development and success and will work with you to [IMPLEMENT/UPDATE] a Behaviour

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Improvement Plan which is designed to help you to improve your behaviour; part of that is ensuring that all students adhere to the standards of conduct expected at Employ My Ability.

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Please feel free to reach out if you need any assistance or if there are any underlying issues contributing to your behaviour that you would like to discuss.

We hope that you will take this opportunity to make positive changes. Your cooperation and commitment to improving your conduct are crucial for your continued success.

Yours sincerely,

[HoE name]

Head of Education

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## Annex K – Template for a Permanent Exclusion following a Stage 4 disciplinary hearing

**A COPY MUST BE PUT INTO AN EASY READ FORMAT TO SEND TO A STUDENT.**

**The below is to be sent to: Parent/Carer; Tutor; Centre Manager; DSL; HoE.**

[INSERT DATE]

[INSERT STUDENT NAME]

[INSERT STUDENT ADDRESS]

**Subject: Stage Four Outcome - Breach of Student Disciplinary Policy**

Dear [STUDENT'S NAME],

I am writing to inform you of your current standing within the behaviour management framework at Employ My Ability. Following the recent incident(s), it is important to address your behaviour and ensure you understand the consequences which you must now face.

Thank you for meeting with me on [INSERT TIME/DATE] when we discussed [INSERT DETAILS]. I have now reviewed our discussion and all the documentation that I believe are relevant to the incident and have concluded that your actions did amount to an act of Gross Misconduct.

The grave nature of the circumstance has left me with no other choice but to **Permanently Exclude** you on the grounds of Gross Misconduct.

You are no longer permitted to attend any EMA site, and we will be notifying the relevant local Authority department of our decision to permanently exclude you.

I attach a copy of the Student Disciplinary Policy for your reference, and must advise you that if you wish to appeal this decision it needs to be done within 10 days of the date of this letter, by sending an email to [compliance@employmyability.org.uk](mailto:compliance@employmyability.org.uk).

If a director of the company deems there to be sufficient grounds for an appeal to be heard, a hearing will be held within 15 working days of the appeal being received by EMA. Appeals without new evidence, or focussing on procedural irregularity may be dismissed by EMA.

I wish you all the best for the future.

Yours sincerely,

[HoE name]

Head of Education

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