

Policy Title: Learner Performance, Behaviour and Disciplinary

Author/Responsible Manager	Deputy Principal of Education and Standards
Original Issue Date	May 2008
Approved By and Date	September 2025
Next Review Date	September 2026
EIA Completion date	8/7/2024
Risk Assessment (please note here any identified risks of non-compliance with the policy)	<ul style="list-style-type: none"> • Poor levels of performance and behaviour impacting on the quality of learning and teaching • Safeguarding of learners and employees is compromised • Retention of learners, and consequential impact on success rates • College reputation with stakeholders • Legal proceedings against College by stakeholders where procedures have been breached • Criminal behaviour is overlooked / unchallenged

CONTENTS

PAGE NUMBER

1. Equality Impact Assessment	1
2. Introduction	2
3. Policy Statement	3
4. Procedure	3
5. Reference to Other Policies	8

Equality Impact Assessment

Characteristic	No impact	Positive impact	Negative impact	Evidence
Race	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Disability	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Gender	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Pregnancy/Maternity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Religion/belief	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Sexual orientation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Age	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Gender reassignment	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Marriage & civil partnership	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Carried out by: Sinéad Kay				

Actions required:

Action	Date	Reviewed by	Date

1. Introduction

The aim of the Learner Performance, Behaviour and Disciplinary Policy and Procedure is to enable and manage a College-wide culture of positive, productive, and tolerant learner behaviour based on the values of equality and diversity, alongside safeguarding aims.

Clear procedures are described, which should be followed to enable all College employees to identify and deal with learner misconduct and/or learner under-performance.

The promotion of desirable and appropriate behaviour should form the foundation for all interactions between College employees and learners, and where applicable parents, carers and employers.

Learner underperformance issues include:

- Lack of work submitted, and/or not meeting deadlines for set work
- Not undertaking guided study or logging off the job training as required
- Unauthorised absence
- Unauthorised non-attendance, including English and maths sessions
- Repeated lateness
- Non-attendance at exams and controlled assessments without good reason

Learner misconduct includes:

- Bringing illegal items into the College, including drugs and weapons
- Conduct both inside and outside the College which may bring it into disrepute or impact negatively on other students
- Being under the influence of alcohol or drugs (including misuse of legal drugs)
- Selling /dealing or giving drugs (legal and/or illegal) or alcohol to other students
- Anti-social behaviour, including the use of inappropriate language
- Abusive behaviour / 'child on child abuse'
- Persistent low level disruptive behaviour
- Bullying and harassment
- Any behaviour which intends to offend or cause harm to those with protected characteristics, including race, gender, sexual orientation, religion or belief, disability
- Failure to follow instructions related to health and safety
- Misuse of College property, equipment and premises
- Plagiarism, and related academic malpractice
- Misuse of College IT systems and equipment, including causing damage maliciously, as defined by the IT Code of Conduct
- Not wearing a college lanyard

This is not an exhaustive list, and advice should be sought proactively from Heads of Faculty and/or SLT, where uncertainty about student conduct exists.

Learner underperformance and misconduct processes will often be followed separately where the unacceptable behaviour can be clearly defined as being 'one or the other'.

Underperformance and misconduct processes can also be followed in parallel and be at different tiers. For example, a learner may be issued with a 'Tier One: Written Warning' for non-submission of course work (which is defined as 'underperformance', above), whilst also being issued with a 'Tier Two: Written Warning' for persistent low level disruptive behaviour (which is defined as 'misconduct', above).

Record keeping of these parallel processes, should be clearly made using Promonitor for full time learners; Salesforce for Apprentices, and through formal correspondence for HE and Adult part time learners.

All behavioural expectations apply when learners are engaged in College activities on and off College campuses. For example, the policy will still apply if learners are representing the College or are engaged on a College trip, event, placement or on transport to and from College.

The policy applies to all learners, whether full time, part time, apprentices, or HE students (although specific academic regulations belonging to partner universities will apply instead of this policy in relation to 'underperformance').

Reference to any disciplinary actions will be included within a learner's record for a period of 9 months and may be referred to in references or personal statements required by learners in respect of employment and university applications. Any Tier 3 records will be recorded and maybe referenced for a period of 13 months.

In the event of the College becoming aware of criminal behaviour through this process, the College is likely to share information with the Police; however, in some cases where a learner is known to social services and/or a safeguarding partnership other external agencies may be involved initially.

2. Policy Statement

The welfare and wellbeing of all users of the College depends on the reasonable and disciplined behaviour of all College members. This policy and procedure are designed to help learners achieve and maintain the high standards set by the College and to ensure consistent and fair treatment for all, by setting out the actions which will be taken if College rules are broken.

3. Procedure

- The behaviours that the College expects are reasonable, and if learners are unsure about any aspect of the scope of the College's expectations regarding their behaviour and conduct, then they should discuss the matter with their Course Tutor or, in the case of apprentices, with their Apprenticeship Lecturer.
- In line with Kendal College culture, all members of College staff have a responsibility to ensure that positive behaviour is encouraged, learner discipline is maintained and that learners are clearly informed of expected behaviour.
- The procedure is designed to deal with instances of 'misconduct' or 'underperformance' in a fair, supportive and consistent manner.
- Disciplinary action will not be taken until allegations have been investigated at a level proportionate to the level of the sanction. For example, 'Withdrawal' will require conclusive evidence and involvement of managers as described,

whereas a Tier One Written Warning is likely to be issued through the professional judgement of the Personal Tutor.

- At every Tier of the disciplinary procedure, learners will be given details of the complaint against them and given the opportunity to state their case before any decision is made.
- At every Tier the learner will receive a notification of the sanction and the required actions to improve should be recorded on Pro-Monitor/Salesforce/formal email (as appropriate).
- The procedure may be implemented at any Tier depending on the seriousness of the alleged misconduct.
- If a learner feels that they have been unfairly treated, then they have a right to appeal against any disciplinary penalty.
- At every Tier, consideration will be given to the needs of the learners in line with the College's Equality policy. Examples include the method of providing information to the learner, any potential safeguarding context, consideration of their individual needs when setting up the timing and location of meetings, provision of feedback to the learner and consideration of any additional needs, for example ADHD, when assessing whether behaviour merits disciplinary action. See 'learners with additional needs' section below, for further details. In every case of looked after child or having an EHCP, the designated teachers and/or SENCo will be advised of this to adapt future plans.

4. The Disciplinary Framework

Scope of the Framework

Apprentices

This policy applies to apprentices and will be applied equally. The difference is that Employers must be informed when any Apprentice is issued with a disciplinary notice, either in relation to performance or misconduct.

Learners with Additional Needs

Where a learner has additional needs or mental health issues which have substantial impact on their behaviour, consideration will be given as to the extent to which the additional needs have caused the unacceptable behaviour. This does not mean that disciplinary action is not still appropriate or that behaviour which impacts very negatively on other students can continue. Staff should seek advice from the Inclusion Services Team when using the disciplinary framework for learners who receive learning support.

Parental, Carer and Advocate Contact / Sharing Information

Parents should be informed of any disciplinary actions where a learner is 18 years old or younger, unless that learner has previously expressly withdrawn their permission for us to have contact with their parents/carers, or there is a clearly identified safeguarding concern which provides a reason not to involve parents/carers; this should be at the discretion of the Safeguarding Team (DSL / DDSL). The Safeguarding Team may need to record the decision not to share information with the parent/carers.

The College should always aim to work with parents and carers in order to understand the needs of our learners' better. Agreeing behavioural boundaries and sanctions, alongside effective support systems, praise, and rewards for desirable behaviour are most often successful when parents/carers are fully involved. The

College should encourage parents and carers to communicate as soon as possible if they have concerns about learner behaviour.

For learners over the age of 18, parents/carers will only be contacted with the consent of the learner, and where it is appropriate to do so.

Parents/carers/or a named advocate will also be informed of any disciplinary actions where the student is defined as a vulnerable adult.

Where a learner has an education and health care plan which references support required in decision making due to a learning need, then parents should be consulted (unless safeguarding concerns exist in terms of parental contact).

This section should be referenced with respect to each Tier of the process.

Higher Education Learners

Where learners attend a College Higher Education programme as learners of partner Universities, they may be subject to disciplinary action by the College and/or the University. 'Misconduct' related behaviour such as bullying, disruption and alcohol misuse will be dealt with by using this Kendal College policy. 'Underperformance' related behaviour, such as failure to submit work and plagiarism will be reported to the relevant University should be dealt with under their procedures.

Part time adult learners

Where the behaviour of an adult student studying part time at the College, is judged to be inappropriate, the procedure should be applied in a timely and appropriate manner; this may involve difficult conversations that require support from managers.. If the course is paid for by an employer, a member of SLT will decide if it is appropriate to inform the employer of any disciplinary notice.

Induction Period

Kendal College is committed to ensuring that learners are enrolled on the right course. The induction period for full time learners (known as "Ready, Steady, Go!") aims to ensure that this is the case by setting cultural behavioural expectations that will be built upon throughout the Autumn Term. Induction is over a six-week period.

Where a learner's behaviour during this period (e.g. non-submission of work, non-attendance without good reason, poor attitude to work, or unacceptable behaviour in class) does not demonstrate appropriate commitment to the course, a learner may have their place withdrawn without the full use of this procedure. Where this is the case, the Personal Tutor will make it clear to the learner where their behaviour/performance is not acceptable and will give clear guidance on expected performance or improvements to behaviour with agreed deadlines. This will be recorded in a letter that will be issued to the learner (and parent/carer where relevant) as soon as possible, clearly stating the concerns. If the performance/behaviour does not improve the tutor will discuss with the learner continuance on the course and informing them if the place is to be withdrawn. For learners who are 18 years old or younger, their parent/carer must be included in these discussions (unless the DSL advises that there are safeguarding reasons not to). Prior approval for any withdrawal should be obtained from the appropriate Director

Where the learner does not continue on the course the tutor should ensure that appropriate guidance is offered in relation to alternatives, or make suitable referrals to The SEPO team, who will also notify Inspira or equivalent to enable them to conduct a follow up interview.

Parents/carers of those under 18 at the start of their course should be informed **before** a decision is made to withdraw a learner's place within the induction period.

Behavioural Agreements

Where a person is to begin at the College who has either:

1. Made a disclosure through the application process that they have previously committed a relevant criminal offence.
2. Been made known to the College by their previous education provider / employer / police / safeguarding partnership, or other external agency, sharing concerns about the applicants behaviour / safeguarding.
3. Been readmitted to college following a previous exclusion/withdrawal.

Enrolment must be agreed by the Designated Safeguarding Lead in the case of criminal disclosure or safeguarding concerns, and/or a Head of Faculty (HoF) or Curriculum Director in the case of concerns about previous behaviour

A behavioural agreement should then be created and signed by the learner and the HoF or Director. This should identify the desired behaviour and stipulate the consequence/s of failure to maintain the agreement. Due to the very individualised nature of these agreements, a template has not been provided; they will often contain information confidential to the learner, which should be shared by the HoF with colleagues who have a professional requirement to understand the background/context.

Behavioural agreements should be shared with the parents/carers of all learners under the age of 18, unless there is a reason known to the Safeguarding Team that would advise against this. In the case of apprentices, it may be necessary to share the behavioural agreement with the employer.

5. Disciplinary Tiers

The Procedure has three Tiers, preceded by an informal Tier:

Tier	Detail	Outcome	Responsibility
0	Preliminary informal actions, including verbal warnings	Course tutor informed Actions identified	Any staff member
Tier 1	Tier 1 written warning	Action plan set	Course tutor
Tier 2	Tier 2 written warning	Action plan set - this plan might include in college actions with specified duration. Eg changes to timetables and expectations of students (for example attendance at additional sessions or removal of access to certain activities with an alternative provided).	Head of Faculty
Tier 3	Tier 3	Outcomes might include: Action plan Immediate suspension Immediate withdrawal	Director (Must liaise with DSL)

In most circumstances there will be a progression through the Tiers, beginning with 'Preliminary Informal Actions' and escalating if the required actions/behaviours are not met. In other circumstances, a learner's behaviour may be serious enough for them to go straight to a higher Tier.

Implementation of the Procedure illustrates that the number of learners reaching the more serious Tiers is much lower than those receiving Preliminary Informal Actions. The implication being that the procedure is effective if these are used to manage lower-level disciplinary concerns, rather than allowing disciplinary concerns to build up until intervention is needed at a higher level. Lecturers should involve Heads of Faculty as soon as concerns emerge around low level persistent inappropriate behaviour, as this can be the most challenging behaviour to manage, and has the greatest potential to escalate, disrupt the experience of other learners, and lead to further challenges later.

If a learner's behaviour is inappropriate to a very serious extent and is regarded as Gross Misconduct, they will go straight to Tier 3 with an outcome of immediate withdrawal considered.

Preliminary Informal Actions (including verbal warnings)

Any minor infringements of College policy or behaviour expectation will be dealt with informally by members of the College staff for the benefit of the learner or others.

Learners must be made aware of any minor infringements (for example non-attendance of a session without authorisation, a first missed deadline) and be given clear guidelines to improve. This should be recorded on Promonitor for Full time students including comments about any parental contact. Part time, and higher education students should be notified by email by the course tutor, with support from the Head of Faculty (who should always be consulted - due to the differing academic regulations of Universities etc.). Preliminary actions for apprentices should be shared with the facilitator and recorded in Salesforce. An employer would not normally be specifically notified about preliminary actions, but they may be noted as targets in apprenticeship reviews.

If the infringement relates to a part time student, the tutor should make the student aware of their concern and agree how the behaviour can improve.

If the matter is more serious than a minor infringement and a learner's conduct or performance continues to be unsatisfactory, a verbal warning, which is a pre-formal disciplinary action, may be given. If the relevant performance/behaviour of the learner does not improve, formal disciplinary procedures should be used.

Multiple verbal warnings may be given for different performance/behaviour issues but where this indicates an unacceptable pattern of issues then formal disciplinary procedures should be used.

Tier One - "Tier 1 Written Warning"

This warning is issued by the learner's Course Tutor (which includes Apprenticeship Lecturer). Other members of staff may request a Tier 1 warning by discussion with the Course Tutor. After discussions with the learners, the Course Tutor may issue or decline the warning request. If a request is declined, the Course Tutor must provide justification for the rejection and discuss this with the Head of Faculty.

When a Tier 1 written warning is issued by the Course tutor, the learner will be told why their conduct or performance does not meet an acceptable standard. The learner will receive a notification of written warning and an action plan.

Information should be shared with Parents/Carers and employers as outlined above. The learner will be made aware of their right to appeal (Appendix 2).

Due consideration to causal factors behind the behaviours should be made by the professionals issuing the disciplinary. This should include mindfulness of the college safeguarding and inclusion policy and procedures. Where a learner has an EHC Plan the relevant additional learning services professional should be made aware and could contribute to individualising action plans.

Tier 2 - "Tier 2 Written Warning"

If the learner's conduct is serious enough to proceed straight to Tier 2, or if following the previous tier a further offence occurs, then the learner will receive a written warning following a meeting with the Head of Faculty (Appendix 2). This will be issued by the Head of Faculty. They will be told why their behaviour or performance does not meet an acceptable standard. They will be made aware of what they have to do in order to meet a level that is acceptable. The 'Notification of Written Warning' will be completed, with a copy given to the learner and a copy kept by the course tutor and Head of Faculty.

Information should be shared with Parents/Carers and employers as outlined above. The learner will be made aware of their right to appeal (Appendix 2).

Due consideration to causal factors behind the behaviours should be made by the professionals issuing the disciplinary. This should include mindfulness of the college safeguarding and inclusion policy and procedures. Where a learner has an EHC Plan the relevant additional learning services professional should be made aware and could contribute to individualising action plans.

Tier 3

If the learner's conduct is serious enough to proceed straight to Tier 3, or if following previous tiers, a learner's conduct or performance is still unsatisfactory or if their misconduct is serious enough to move straight to a final disciplinary. There will be a Tier 3 meeting with the Director of Curriculum (or Deputy Principal in the Directors' absence). The outcome of the meeting will depend on the circumstances but may be a final written warning and action plan, immediate suspension or withdrawal. The learner will receive a written notification of the outcome, and made aware of their right to appeal (Appendix 2) with a copy given to the learner, the course tutor, Head of Faculty and the relevant Director (Appendix 4)

Information should be shared with Parents/Carers and employers as outlined above. The learner will be made aware of their right to appeal (Appendix 2).

For any stage Tier 3 disciplinary the Safeguarding manager or DSL should be and aware of the name of the student involved. This is to cross check for any concerns that the Head and Director may not be aware of. Where this is the case the safeguarding concerns may, or may not, affect the sanctions that are applied. Where a learner has an EHC Plan the relevant additional learning services professional should be made aware and could contribute to individualising action plans.

A learner who has been withdrawn from the College may be re-admitted at a later stage, but re-admission will depend upon a satisfactory interview with the Principal or their nominee. A withdrawn learner must not access any Kendal College sites without explicit permission from the Principal.

Gross Misconduct

Where an act of gross misconduct has been alleged, a learner could be suspended from the College pending investigation. If a learner is found to have made knowingly malicious or misleading accusations against another, they themselves could face the disciplinary process.

The learner will be given written reasons for their suspension.

Information should be shared with Parents/Carers and employers as outlined above.

If on completion of the investigation of the alleged offence, the College is satisfied that gross misconduct has occurred, the learner will be excluded from the College in accordance with Tier 3 of the Disciplinary Procedure. The decision will be made by the Principal or a Director.

The following list provides examples of offences which are regarded as gross misconduct:

- Theft; fraud; falsification of records
- Fighting
- Being under the influence of alcohol or drugs
- Bringing drugs into College with the intent to sell to others
- Possession or use of weapons
- Serious or continued bullying or harassment of others
- Vandalism of College property
- Using inappropriate or threatening language to a member of the College staff, learners or visitors
- Misuse of College equipment including computers
- Serious infringements of the College IT system, for example hacking and viewing of seriously inappropriate materials including those linked to terrorism or radicalisation that cannot be explained (e.g. linked to curriculum research)
- Making images of staff and students without permission
- Committing a serious criminal offence (including an offence linked to terrorism)
- Serious breach of Health and Safety expectations
- Bringing the College into serious disrepute

Appeals (for written and final written warnings)

All appeals should be made in writing within 5 working days to the Deputy Principal – Education and Standards, clearly stating the grounds on which the learner will base their appeal.

Where an appeal against a disciplinary decision is received, an appeals meeting should be convened to include the relevant Director and review the information used to make the decision. This may require discussion with the learner making the appeal and others involved in the process.

The manager chairing the appeal will post a written decision to the learner within 5 working days of the appeal hearing being held.

Appeal Against Withdrawal

This appeal will be chaired by the Principal or Deputy Principal (Education & Standards) and accompanied by other staff acting in an advisory capacity where appropriate. A minute taker will also be present, to produce a brief written record of the appeal. The excluded learner may be accompanied by a parent or friend (however they should not have been involved in the incident). The following procedure will be followed: -

- The person who has recommended the withdrawal of the learner will present their case as to why the learner was excluded. It is expected that supporting documentation from the learner file will be available e.g. copies of previous warnings, records of attendance.

- The learner will have the opportunity to ask for clarification. At this stage the learner will have the opportunity to present their appeal, as to why the College should overturn the Withdrawal.
- The person who has recommended excluding the learner may ask the learner for clarification.
- The Chair may ask the learner for clarification or further information and then summarise the points that have been made.
- The learner is then asked if they wish to add anything further before the meeting is closed. They are informed that a decision will be given in writing and will be posted to them within the next five working days.
- The Principal or Deputy Principal will then make a decision which will be conveyed in writing to the learner and (Appendix 8 or Appendix 9) copies of this letter will be lodged in the learner personal file and copied to CIS for early leaver records and flagged on the CIS system to alert guidance should the person re-apply to the College
- Where possible the written record of the meeting will remain confidential, however it may be necessary in certain circumstances to disclose certain information particularly when relating to safeguarding.
- In the event of a learner being withdrawn they will be offered the opportunity of a progression interview and if under 19 referred to Inspira Cumbria Ltd or equivalent for non-Cumbria residents.
- Once all appeal processes have been exhausted, the course tutor will be responsible for implementing the Early Leaver Procedure. College lanyards, bus passes and learner support fund must be returned to the College.
- Where a student has taken out a student loan for their course, the Student Loan Company will be advised that the student is no longer at the College and payments will immediately cease. A decision will be taken as to whether or not the student will be billed for outstanding fees.
- Learners who have been withdrawn will be noted on the learner record system and should they re-apply for courses in the future they will receive enhanced advice and guidance and the Principal or Deputy Principal will approve readmission to the College.

4. Documentation

Appendix 1	Sample Disciplinary Letter – Tier 1 or 2 Disciplinary (Learner)
Appendix 2	Sample Disciplinary Letter – Tier 1 or 2 Disciplinary (Parent/guardian/Carer/Employer)
Appendix 3	Sample Disciplinary Letter – Tier 3 (Learner)
Appendix 4	Sample Disciplinary Letter – Tier 3 (Parent/guardian/Carer/Employer)
Appendix 5	Sample Disciplinary Letter – Temporary Suspension
Appendix 6	Sample Disciplinary Letter- Permanent Suspension and Withdrawal
Appendix 7	Sample outcome of appeal against Withdrawal (Unsuccessful)
Appendix 8	Sample outcome of appeal against Withdrawal (Successful)

5. Reference to Other Policies

Assessment, Internal Verification and Moderation
IT Code of Conduct
Equality Policy
Health & Safety Policy
Bullying and Harassment Policy
Safeguarding Policy

N.B. The Safeguarding Policy has primacy over all other policies. Where there is a safeguarding issue/concern please refer to the safeguarding team.

Sample Disciplinary Letter – Tier 1 or 2 Disciplinary

Notification of Written Warning (Learner)

Name	Our Ref:
Address	Date:
	Direct Dial No 01539 814

Dear (Name)

Following your meeting with **(Name)** which you attended on **(Day) (Date)**, this letter serves as a Tier 1/Tier 2/ Written Warning.

(DESCRIBE THE BEHAVIOUR OR PERFORMANCE ISSUES THAT HAVE LED TO THIS ACTION – SET OUT ACTION PLAN – WHAT DOES THE LEARNER NEED TO DO TO IMPROVE THEIR BEHAVIOUR OR PERFORMANCE? WHEN WILL THEIR ACTION PLAN BE REVIEWED?)

If there is no improvement in your performance or behaviour, (STATE WHICH APPLIES) the College will have to consider taking further disciplinary action.

If you wish to appeal against this decision you should write to **(name of relevant HoF if Tier 1 written warning, Director if Tier 2)** at the College. This should be received no later than five working days from the date of this letter and should give the reasons for your appeal.

You will then be invited to attend an appeal meeting to discuss what you have to say and you may bring someone with you to that meeting. If you intend to bring a friend or relative to the appeal, please provide details of name and status of the accompanying support.

Yours sincerely,

Name

Relevant Tutor if Tier 1 written warning

Head of Faculty for Tier 2 written warning

Copies to: Parent/Carer if student is under 18
 Head of Faculty...
 Director of Curriculum
 Course Tutor
 Employer of Apprentice

Sample Disciplinary Letter

Notification of Tier 2 Written Warning (Parent/Guardian/Carer/Employer)

Our Ref:

Date:

Direct Dial No 01539 814

Name

Address

Dear (Name)

Re: (Name of Learner)

Please find attached a letter sent to your (son/daughter/apprentice/ward). Should you wish to discuss this with me please do not hesitate to contact me.

Yours sincerely,

Name

Head of Faculty

Sample Disciplinary Letter
Notification of Tier 3 Disciplinary (Learner)

Name

Our Ref:

Address

Date:

Direct Dial No 01539 814

Dear (Name)

Following your Tier 3 disciplinary meeting with **(Name)** which you attended on **(Day) (Date)**, this letter explains the outcome and actions.

(DESCRIBE THE BEHAVIOUR OR PERFORMANCE ISSUES THAT HAVE LED TO THIS ACTION. EXPLAIN THE OUTCOME (ACTION PLAN/SUSPENSION OR WITHDRAWAL. IF RELEVANT SET OUT ACTION PLAN – WHAT DOES THE LEARNER NEED TO DO TO IMPROVE THEIR BEHAVIOUR OR PERFORMANCE? WHEN WILL THEIR ACTION PLAN BE REVIEWED?)

[If an Action plan is set] If there is no improvement in your performance or behaviour the College will have no alternative but to remove you from your programme.

If you wish to appeal against this decision you should write to the Richard Evans, Deputy Principal - Education & Standards. The letter of appeal should be received no later than five working days of the date of this letter and the reasons for your appeal must be included.

[If the learner is excluded from college] This Withdrawal does not mean that you will never be re-admitted to Kendal College. Any future application will be treated on its merits. However, we would expect to see evidence of **(state expected behaviour)** and an interview with the Deputy Principal will be required prior to any offer of a place being made.

If you intend to bring a friend or relative to the appeal please provide details of name and status of the accompanying support.

Yours sincerely,

Name

Director of....

Copies to: Head of Faculty for...
 Course Tutor

Sample Disciplinary Letter**Notification of Tier 3 Disciplinary (Parent/Guardian/Carer/Employer)**

Name

Our Ref:

Date:

Address

Direct Dial No 01539 814

Dear **(Name)****Re: (Name of learner)**

Please find attached a letter sent to your (son/daughter/ward/apprentice). Should you wish to discuss this with me please do not hesitate to contact me.

Yours sincerely,

Name

Director of Curriculum

Sample Disciplinary Letter**Temporary Suspension**

Name

Our Ref:

Address

Date:

Direct Dial No 01539 814

Dear

I regret having to inform you that you have been suspended from College from _____ to _____ whilst we complete our investigations. This is due to _____

During this period of suspension, please continue to access resources on your virtual learning environment or via your tutor via Teams.

Please will you and your parents/carers attend a meeting with me on _____ where we can discuss this incident.

If you feel that you have been unfairly treated, you have the right of appeal. This appeal must be submitted in writing to the Principal to be received by College no later than five working days from the date of this letter. Your letter must state the grounds on which you are making your appeal.

Yours sincerely

Director of Curriculum

Sample Disciplinary Letter
Permanent Suspension and Withdrawal

Name

Our Ref:

Address

Date:

Direct Dial No 01539 814

Dear

Following our meeting on _____, I regret having to inform you that you have been permanently excluded from Kendal college and will be withdrawn from your study programme.

If you feel that you have been unfairly treated you have the right of appeal. This appeal must be submitted in writing to the Principal to be received by College no later than five working days from the date of this letter. Your letter must state the grounds on which you are making your appeal.

Your exclusion does not mean that you will never be re-admitted to Kendal College. However, we would require an interview with the Principal prior to any offer of a place being made.

Yours Sincerely,

Director of Curriculum

Copy to

Parent/Carer/Employer

Sample Disciplinary Letter
Outcome of Appeal against Withdrawal
(Unsuccessful)

Name	Our Ref:	
	Date:	
Address	Direct Dial No	01539 814

Dear **(Name)**

I am writing to you regarding your appeal against Withdrawal from College. After considering all the evidence, particularly your **(details of offence or number of warnings)** you are excluded from Kendal College as of today. This means that you do not attend any College activity on any site.

It does not mean that you cannot re-apply for a course in the future. College will review each application on its merits. If you do re-apply the College will need to see evidence of **(example of what we want to see)** and an interview with the Vice Principal will be required prior to any offer of a place being made.

Yours sincerely

Jason Turton
Principal

Copy to Course Tutor for Learner file
 Director of ...
 Head of Faculty for
 CIS
 Admissions Officer

Sample Disciplinary Letter
Outcome of Appeal against Withdrawal
(Successful)

Name

Our Ref:

Address

Date:

Direct Dial No 01539 814

Dear **(Name)****Re: Appeal against Withdrawal held on (Date)****Chaired by (Name and Title)**

I wish to inform you that following recommendations from **(Name of Chair)**, the College is prepared to give you a final opportunity to complete your programme successfully. You need to be aware that, given your previous disciplinary record, this is an unusual action for College to take. I have only agreed to this action on the strict understanding that you take the following action:-

(Action required here)

(Name of Chair) will monitor your attendance and performance and if it does not meet the agreed levels you will be asked to leave College.

We have agreed to this final opportunity so that you can be successful in your programme and then progress to **(Details of expected progression)**. Please do not waste this opportunity.

I wish you every success.

Yours sincerely,

Jason Turton

Principal

Copy to Course Tutor
 Parent/Carer/Employer