

# **Policy and Procedures for Managing Learner Conduct (FE Programmes)**

*Excellence*

### **Our Mission**

Raising Aspirations, Unlocking Potential, Advancing Futures

### **Our Values**

Excellence, Passion, Teamwork, Integrity, Innovation,  
Sustainability, Valuing Others and Supportiveness

### **Sparsholt College Group**

The Sparsholt College Group (the College Group) includes Sparsholt College, Andover College, University Centre Sparsholt, Sparsholt College Services, Westley Enterprises and Andover Town Football Club. College Group policies apply to each part of the group unless specified otherwise.

The *Policy and Procedures for Managing Learner Conduct* was approved by the Board of Governors in July 2023 and supersedes previous versions.

Originator:	Vice Principal Curriculum
Located:	College Group Websites College Group Intranet
Due for review:	May (for July) 2026

## **POLICY AND PROCEDURES FOR MANAGING LEARNER CONDUCT (FE PROGRAMMES)**

The purpose of the Policy and Procedures for managing Learner Conduct is:

- To provide a supportive framework, which allows the Sparsholt College Group (including Sparsholt College and Andover College and known in this document as 'the College') to help learners manage their conduct.
- To promote compliance with the Student Code of Conduct and to ensure that all learners receive fair and consistent treatment with access to a fair appeals procedure.
- To ensure that any actions or sanctions are coupled with support for the learner that considers their individual circumstances.
- To fully involve parents/guardians/carers of all under 18\* Learner in any actions regarding conduct. Parents/guardians of Vulnerable learners aged 18-24 will also be involved.
- It is the policy of the College to involve parents of all further education learners aged 18-21 where it is appropriate to do so, and with consent
- To liaise with secondary schools in the case of 14-16 learners accessing College provision
- To promote a safe learning environment free from disruption, violence, bullying and any form of harassment for all learners.

\* Where Under 18 Learners are referred to within this document, this is meant to include all Learner who are under the age of 18 at the commencement of the academic year.

\*\* This policy refers to all Further Education (FE) Learners and Apprenticeship programmes,

## Procedures for the Management of Learner Conduct

This procedure may be implemented when staff have concerns relating to a learner's conduct, behaviour and/or discipline that will likely have a negative impact on their achievement, the achievement of others and/ or they fail to respect their peers, staff and the wider College and its community. Consideration at all times will be given to what is expected of a professional learner and what standards are acceptable in the workplace.

Witness statements (appendix a) will be obtained by progress coaches from all parties involved, in order to gain a broad understanding of events. Once gathered, progress coaches will consider which stage is most appropriate.

In the case of a 14-16 learner, College staff should liaise with the school contact to discuss any concerns regarding a young person's conduct in relation to the expectations outlined in the SLA. It is not the College's responsibility to implement any sanctions as this remains the responsibility of the school that the young person is on roll at.

There are three stages:

### Conduct Stage 1 (CS1)

**This stage is used to address minor breaches of the Code of Conduct, including but not limited to:**

- Disruptive or unruly behaviour inside or outside of class, particularly that does not improve when challenged
- Failure to comply with a reasonable instruction from a member of staff
- Low level bullying (online or in person)
- Use of inappropriate language (including online messaging/communication)
- Minor instances of inappropriate or disruptive behaviour which affects the learning of others (behaviour which solely affects a learner's own learning will be managed through the College's Learner Performance policy)
- Persistent failure to use the College smoking/vaping shelters
- Refusal to produce College ID or identify oneself when asked to by a member of staff

### Process

Any teacher, instructor, instructor technician, technician, warden or other member of staff (e.g. Learning Support Assistant, Progress Coach or Apprenticeship Liaison Officer) with a role in supervising learners may raise and enter a Conduct Stage 1.

The member of staff will clearly explain, usually verbally, to the learner the reasons for the CS1 being raised.

The member of staff is responsible for ensuring (through the curriculum administrator if appropriate) that the CS1 is entered on the learner's ProMonitor page. The Progress Coach of the learner should also be informed by the member of staff raising and entering the CS1.

## Sanctions

Sanctions may include loss of privileges, such as optional visits or access to residential events, at the discretion of the course and/or residential team.

## Support/Follow up

The Progress Coach, Apprenticeship Liaison Officer and/or the Warden (for residential matters) is responsible for monitoring the learner's progress. During which time any targets set, through the issuing of a CS1, can be marked as 'completed' if the actions have been successfully complied with.

If there is no visible improvement over a reasonable timeframe since the raising of a CS1 for a similar issue, a formal meeting with the Curriculum Leader/Senior Curriculum Leader will be required (Conduct Stage 2).

## Conduct Stage 2 (CS2)

**A Conduct Stage 2 is used to formally address more severe or deliberate breaches of the Student Code of Conduct. Learners may be subject to a formal conduct review without having first received any conduct concerns where the breach of discipline warrants this.**

**Examples which may trigger a Conduct Stage 2 include but are not limited to:**

- Re-occurrence of a CS1b breach
- Bullying
- Behaviour or language that is disrespectful, offends or may be discriminatory in its nature
- Acting in an unsafe manner
- Failure to comply with the College's Health and Safety Policy
- Sustained inappropriate behaviour which solely affects the learning or recreation of others (behaviour which affects a learner's own learning will be managed through the separate Learner Performance policy)
- Minor vandalism or damage to College property.

## Process

Any teacher, instructor, instructor technician, technician, or other member of staff (e.g. Learning Support Assistant or Progress Coach or Apprenticeship Liaison Officer) with a role in supervising learners may request a Conduct Stage 2.

The staff member will discuss the reasons behind issuing a CS2 with the Progress Coach/Warden or Apprenticeship Liaison Officer directly.

The Progress Coach/Warden or Apprenticeship Liaison Officer will enter a CS2 on the learner's ProMonitor page and arrange a meeting. The meeting is to be

chaired by the Curriculum Leader (CL)/Senior Curriculum Leader (SCL) as appropriate, or the Residential Support Manager for residential learner issues.

Parents/guardians/carers and apprenticeship employers of under 18 learners will be notified of the meeting, where appropriate, in advance by the Progress Coach or Apprenticeship Liaison Officer via telephone and/or email. Should they specifically request it, they will, be permitted to attend providing this does not create an inappropriate delay to the meeting.

A behavioural action plan will be agreed, with appropriate targets set.

Parents/guardians/carers/apprenticeship employers of under 18 learners will be notified of the targets set within five working days.

### **Sanctions**

Sanctions may include loss of privileges, such as optional visits or access to residential events, at the discretion of the course and/or residential team. If, in the judgement of the Assistant Principal/Residential Manager, the behaviour warrants a short suspension, this can be done with immediate effect.

### **Support/Follow up**

A revisit and monitoring meeting will be booked for no later than three weeks after the initial CS2 meeting (Learner, CL/SCL/Residential Manager and Progress Coach/Warden or Apprenticeship Liaison Officer in attendance). If the learner is able to demonstrate sufficient progress and improvement towards these targets, they will continue to be monitored by the Progress Coach/HE course tutor/Warden or Apprenticeship liaison Officer until the next progress review window (plus three weeks). If there is inadequate progress demonstrated towards targets, a Conduct Stage 3 is raised. This may result in temporary suspension and possible permanent exclusion.

As part of the support system, any learner on a Conduct Stage 2 action plan may be highlighted to wellbeing team if deemed appropriate. This may facilitate additional reviews/support from Wellbeing to promote improvement in conduct.

## **Conduct Stage 3 (CS3)**

**A Conduct Stage 3 is used to formally address gross or persistent breaches of the Student Code of Conduct. Learners may be subject to a serious conduct review without having first received any conduct reviews, where the breach of discipline warrants this.**

**Examples which may trigger a Conduct Stage 3 include but are not limited to:**

- Reoccurrence of a CS2 breach
- Persistent bullying, harassment or assault
- Sexual misconduct
- Behaviour or language that is threatening/offensive or may be discriminatory in its nature

- Health and Safety breaches that impact on the safety of self and others including unauthorised access to identified areas of the campus (such as the Tractor Plot)
- Deliberate vandalism
- Under-18 learners in possession of alcohol anywhere on campus who give a positive reading on a breathalyser or refuse to give a breath test
- Over-18 learners promoting underage consumption of alcohol
- The use (or suspected use), possession, exchange or selling of controlled drugs, solvent abuse psychoactive substances or cannabidiol (CBD) products on any part of the campus.
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- Accessing, downloading, sending or sharing offensive materials via internet or mobile technology
- Reckless behaviour
- Theft
- Being in possession of a dangerous object, including knives and guns

**Note:** The Assistant Principal or Residential Support Manager is authorised to instruct an immediate temporary period of absence of the learner from attending College or from living in College residential accommodation ahead of a CS3 meeting, if this is considered appropriate (for reasons of safety, to allow further investigation, for the avoidance of possible recriminations or compounding allegations, or for reasons of harmony of the College community).

This action will be confirmed in writing (including the reasons why and the policy that the decision is related to) and followed by the appropriate meeting.

### **Process**

Any teacher, instructor, instructor technician, technician, or other member of staff (e.g. Learning Support Assistant or Progress Coach or Apprenticeship Liaison Officer) with a role in supervising learners may request a Conduct Stage 3.

The staff member will discuss the reasons behind issuing a CS3 with the Progress Coach/Warden directly.

The Progress Coach/Warden or Apprenticeship Manager after discussion with the Assistant Principal/Residential Manager will enter a CS3 on the learner's ProMonitor page and arrange a meeting to be chaired by the Assistant Principal/Residential Manager, or exceptionally, the Senior Curriculum Leader (SCL) once the Chair is satisfied that there is compelling evidence to proceed.

For Academic matters: A formal hearing is chaired by an Assistant Principal. The assigned investigating officer should not sit on the panel and instead serves to provide information regarding the investigation and points of clarity. The panel will have representation from relevant curriculum staff and Wellbeing and/or ALS depending on

the circumstances to ensure a holistic review is considered when determining any outcome.

For Residential matters: hearings will be chaired by the Residential Support Manager. The Assistant Principal, and Progress Coach will be notified of the outcome of a review for a residential learner.

Where appropriate, parents/guardians/carers/apprenticeship employers of under 18 learners will be notified of the meeting five working days in advance or earlier if all parties are in agreement and, should they specifically request, be permitted to attend providing this does not create an inappropriate delay to the meeting. The invitation will include details of the reason for the meeting and parents/guardians/carers/apprenticeship employers will be made aware of relevant College procedures. A copy of the investigation report should be provided in advance of the hearing.

Where parents/guardians/carers/apprenticeship employers choose not to attend, the meeting will proceed in their absence. Where the learner subject to the CS3 chooses not to attend, the CS3 meeting can still continue in their absence with outcomes agreed by parties present. All learners may be accompanied by an advocate or support person but not by a professionally hired legal representative.

The learner's Progress Coach/Warden will normally accompany the learner in their review.

The hearing panel should suspend the hearing to consider and review its findings, reach a decision, consider the appropriate sanctions, and deliberate options for lesser sanctions. The outcome of the meeting will be confirmed within five working days, together with the content of the action plan, the support that is being put in place and any other sanctions such as access to Study+ trips, tours or residential events.

Examples of potential sanctions:

- Loss of privileges, such as access to Study+ trips and tours.
- Community work on the campus site, where appropriate.
- Residential learners may be moved to different accommodation as part of the actions following a CS3.
- A final warning in either verbal or written form.
- Placement on a Stay Safe Plan, a Support Plan, a Non-discriminatory Safeguarding Plan or a behavioural or attendance report card.

### **Support / Follow up**

A revisit and monitoring meeting will be booked for no later than three weeks after the CS3 meeting (Learner, CL/SCL and Progress Coach/ Warden/ Apprenticeship Liaison Officer in attendance). If the learner is able to demonstrate sufficient progress and improvement towards these targets, they will continue to be monitored by the Progress Coach/ Warden/Apprenticeship Liaison Officer until the next Progress Review window (plus three weeks).

Where a learner fails to demonstrate sufficient progress towards their expected level of conduct, despite the necessary support being provided, the Progress Coach/ Warden/Apprenticeship Liaison Office will refer the learner to the Assistant



Principal/Warden for a final decision about the learner's place on their study programme and/or suitability to reside in residential accommodation. The outcome of this decision may be a final warning in either verbal or written form.

As part of the support system, any learner on a Conduct Stage 3 action plan may be highlighted to Wellbeing team if deemed appropriate. This may facilitate additional reviews/support from Wellbeing to promote improvement in conduct.

### **Exclusion**

Exclusion may be considered where:

- a) Conduct is so severe such that the learner is at significant risk of continuing to harm the prospects of other learners, undertaking illegal activities, or likely to bring the College into disrepute.
- b) Where, despite the provision of appropriate support, a learner is continuing to perform below the level of conduct expected of them. In such instances, the Assistant Principal will be required to make a final decision about the appropriateness of the learner's current study programme.
- c) Where, despite the provision of appropriate support, a learner is continuing to behave in a manner which is inappropriate for residents in College accommodation. In such instances, the Residential Support Manager will be required to make a final decision about the appropriateness of the learner continuing to live in College accommodation

This list is not exhaustive and is intended to provide examples only. This may include (but not be limited to):

- Transfer to another programme of study
- Reduced or part-time timetable with restricted access to the campus and its grounds
- Exclusion from elements of the existing programme of study
- Exclusion from the College
- Exclusion from College accommodation
- Exclusion from College transport.

Where such decisions are being considered, they will normally be conducted in the presence of both the learner and the parents/guardians/carers/apprentice employer, as appropriate, in order that all possible consideration can be given to ensuring that the learner is supported to transfer to another programme either within the College, or with another learning provider.

## **Returning Learners**

Learners returning to College in the following academic year, who have previously been subject to a CS3, may be placed on a Returner Monitoring Plan (to be completed by the Progress Coach/Apprenticeship Liaison Officer on ProMonitor). Learner progress will be closely monitored during the 'Flying Start' programme and their performance will be revisited at the first Progress Review (typically end of week 4). If the learner continues to demonstrate behaviours which were previously a cause for concern their place on the programme of study or at College will be at risk, with the final decision considered at a meeting chaired by the Assistant Principal.

## **Decisions**

These are not legal procedures. There must be a fair and equitable process in considering cases of alleged misconduct. Any mitigating circumstances will be considered. However, the judgment will be based on the balance of probabilities and does not (as in legal cases) need to be proved 'beyond all reasonable doubt'. All sanctions will be made based on the interests of the College community, whilst balancing the needs of the individual. The emphasis is on learning, managing behaviour and achievement.

Sanctions will therefore be decided in terms of:

- Protection of the health, safety and welfare of individuals
- Support for those affected by the incident, including staff
- Wilfulness, remorse and the likelihood of the individual improving their behaviour coherence and consistency across the College
- The need to maintain expected standards of behaviour in class and across campus and therefore being seen to apply appropriate sanctions equally
- Learning being the purpose of the College and for a learner being part of the College community
- Protection of property

In making judgements and deciding sanctions, consideration will be given to the personal circumstances of the individual, for example any medical conditions or learning differences that might contribute to their behaviour.

## **Appeals**

All appeals will be heard by a member of the Strategic Leadership Team (not involved in earlier stages of the process).

The individual may appeal against any sanctions by writing to the College within 10 working days of receiving confirmation of the decision.

The letter should clearly set out the grounds for appeal.

The outcomes of an appeal may be that:

- The findings are upheld and the sanction/exclusion is appropriate
- The findings are upheld but sanction/exclusion was not warranted
- The findings are flawed due to failings in the original hearing or because new evidence has come to light.

The outcome of any appeal will be final.

## **Suspension**

Occasionally it may be necessary to formally suspend a learner from class and/or from accessing the College's facilities in order to prevent further disruption of learning, intimidation of others, danger to the individual or interference with an investigation. Suspension will be a preventative measure but not a sanction for poor behaviour as it defeats the principal purpose of the College, i.e. learning. Exclusion will be the sanction applied if the learner's behaviour cannot be corrected.

The decision to formally suspend a learner may be taken by the Assistant Principal and/or Residential Support Manager. The learner must be notified verbally of the reasons for their suspension, and where possible the parents, where appropriate, will be informed by a phone call. The suspension will be confirmed in writing within 3 College working days, along with a proposed date for a hearing. In this communication, the College will detail the policy that the suspension is being reviewed under, provide advice as to how to access support and detail how the suspension can be appealed. Suspension will not normally exceed 10 College working days. However, where an alleged act of misconduct is subject to police investigation, it may be necessary to suspend a learner pending the outcome of that investigation. Every effort will be made to support the learner's continued learning during a period of suspension, for example with set work.

## **Criminal Offences**

In cases where there is suspicion that a criminal offence has been committed, the College reserves the right to refer the issue to the Police and suspend the learner pending the outcome of police enquiries and/or continue with these procedures. A member of the Strategic Leadership Team will make this decision.

It is the College's policy to refer all criminal offences to the police force, to support the victim in making a complaint and to co-operate fully in any enquiries.

Where criminal offences are committed outside of College, learners are required to complete a self-declaration form (appendix B) and pass it to the Head of Wellbeing as soon as possible. The College is keen to work with learners, parents, carers, guardians, employers and police to maintain attendance at college while police investigations are underway. Full disclosure is required in order to do this, so that effective planning to safeguard our community can take place.

## **Complaints**

Complaints about the way the procedure is implemented should be made in writing to the Vice Principal Curriculum who will identify a manager at the appropriate level to investigate the complaint. A copy of the complaints policy is located on the Sparsholt College website, [Policies and Reports | Sparsholt College Hampshire](#).

## **Training and Monitoring**

All College staff who chair hearings will be given sufficient training to fulfil this role effectively.

CS3 reviews will be reported (as a numeric total) half termly to the Board of Governors and will be supplemented with an annual equality monitoring report.

## **Appendix A**

### **Witness statement - LEARNER**

This **witness statement** is a document to record your evidence. You sign this statement at the bottom to confirm that the contents of this **statement** are true. Your **statement** should be an accurate record what you (**the witness**) actually saw, heard or felt. It **must not** include hearsay or what you believe to be true, only fact.

**Learner's full name:**

**ID number:**

**Address:**

**Telephone number:**

**Statement:**

Please email any screenshots, emails or other evidence that you may have to your Tutor urgently. Please include full names and descriptions of any other people involved (include clothing, hairstyles, glasses, hats etc.) State exactly where the incident took place, the time it happened and name any witnesses.

**Date and time of incident:** \_\_\_\_\_

**Continue overleaf if needed – if not please sign below**

**I believe that the facts stated in this witness statement are true:**

**Signed by the witness:**

**Dated:**

**Statement continued:**

**I believe that the facts stated in this witness statement are true:**

**Signed by the witness:**

**Dated:**

**Appendix B**

**Learner Self-Declaration Form  
Sparsholt College and Andover College**

**Disclosure of arrest, caution, offences, convictions**

**Please complete and return within Word. You may password protect if you wish.**

**Please provide the following information for each charge:**

- The type of offence (imprisonment, fine, probation order, supervision order, YOT, caution etc.)
- The date of conviction, court date if pending, length of the sentence and further details
- Your age at the time of the commission of the offence
- An explanation of the circumstances of the offence
- The country in which the offence was committed.

<b>Your contact details:</b>	
Name: Address:	
Email:	Landline:
Telephone number. Mobile:	

<b>What is the offence:</b>

<b>The date of conviction:</b> court date if pending, length of the sentence and further details

<b>Your age at the time of the commission of the offence:</b>

Please continue overleaf

**An explanation of the circumstances of the offence:**

**The country in which the offence was committed:**

**Type and length of sentence imposed**, including for example, imprisonment, fine, probation order, supervision order, caution YOT, probation etc:

**When does the conviction becomes spent:**

**Contact details of your probation officer or any support workers:**

**Name:**  
**Position:**  
**Address:**

**Email:**  
**Telephone number. Mobile:**

**Landline:**

## Consent Form

### Data Processing Consent

I .....(Name), hereby give my consent to the personal and sensitive personal data about me contained in this Disclosure Form being processed by the College in accordance with its Disclosure of Unspent Convictions Procedure.

Signed:.....Date:.....



## **The Rehabilitation of Offenders Act 1974**

For full information on spent periods, please see the Nacro website:  
[The Rehabilitation of Offenders Act | Criminal record advice | Nacro](#)