

# LAL Language Centres

## Student Discipline Procedure



### Policy Statement

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Outlined below is the procedure that LAL Language Centres will follow in the event that a student breaches any aspect of the LAL Language Centres Student Code of Conduct.

### Stages of the Procedure

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Our procedure contains the following stages:

- **Informal warning** - for misconduct of a relatively minor nature
- **First written warning** - for incidents of misconduct
- **Final written warning** - for further misconduct or if an incident of serious misconduct occurs
- **Immediate expulsion** - for continued unsatisfactory conduct or gross misconduct

### Informal Procedure For Student Discipline

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In the first instance of rule breaking or bad behaviour, the students will be spoken to by a member of staff and reminded about the rules and what we expect of them regarding their behaviour. If bad behaviour and rule breaking continues to happen LAL will commence the 'Formal Procedure for Student Discipline'..

Complaints of misconduct either by one student against another or by a member of staff against a student should, wherever possible, be dealt with informally by consultation between the student(s) and staff concerned. The formal procedures will only be used either where the alleged misconduct is considered serious and/or where informal action/mediation at departmental level has failed or is considered inappropriate.

### Formal Procedure For Student Discipline

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#### 1<sup>st</sup> Warning

A written warning

The student is then reminded of what we expect of them and what will happen should bad behaviour continue. Where a student has been recruited through a third party agent, this warning will also be sent to them.

## **2<sup>nd</sup> Warning**

A final written warning

The student is then reminded of what we expect of them and what will happen should bad behaviour continue. Similarly, this warning will be sent to any interested third party agent.

## **3<sup>rd</sup> Warning**

Immediate expulsion

The student will be immediately **expelled** from the school and their accommodation. There will be no refund available. This expulsion will also be co-ordinated with any interested third-party agent.

## **Detailed Formal Procedure for Student Discipline**

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LAL Language Centres will carry out necessary investigations of potential disciplinary matters without unreasonable delay to establish the facts of the case. In some cases this will require the holding of an investigatory meeting with the student before proceeding to any disciplinary hearing. In others, the investigatory stage will be the collation of evidence by LAL Language Centres which may include taking statements from witnesses for use at any disciplinary hearing.

In misconduct cases, where practicable, different people will carry out the investigation and disciplinary hearing. If there is an investigatory meeting this will not by itself result in any disciplinary action.

When investigating a disciplinary matter, LAL Language Centres will take care to deal with the student in a fair and reasonable manner. The nature and extent of the investigations will depend on the seriousness of the matter and, the more serious it is, the more thorough the investigation will be. LAL will keep an open mind and look for evidence which supports the student's case as well as evidence against.

LAL Language Centres will not always hold an investigatory meeting (often called a fact-finding meeting) if it is not necessary. If a meeting is held, LAL Language Centres will give the student advance warning and time to prepare.

Any investigatory meeting will be conducted by a management representative and will be confined to establishing the facts of the case. Students may be accompanied to this meeting by a person of their choice.

Having established the facts, the manager should decide whether there is a case for the student to answer or not. If, following investigation, formal disciplinary action appears to be necessary the manager who conducted the investigation should hand the investigation file to another manager to conduct the disciplinary hearing.

In certain cases, for example, in cases of gross misconduct, where relationships have broken down or there are risks to property or people, the student may be suspended from attending lessons or activities/excursions.

## **Suspension**

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We reserve the right to suspend the student at any stage of this procedure. Suspension will be for as short a period as possible in order to carry out any investigation of an alleged serious offence or to prevent any recurrence. Such suspension is not disciplinary action and does not involve any prejudgment.

If suspended, the student must be available to attend any fact finding interview called during the suspension period. Contact will be maintained with the student throughout the period of suspension to keep him/her informed of the investigation. A student who is suspended will only be allowed to contact through a nominated person. In the case of young learners they will be fully supervised by an LAL staff member during this time.

## **Invitation to a Hearing**

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The manager conducting the disciplinary hearing will then write to the student and include:

- what it is they are alleged to have done wrong and briefly why this is not acceptable.
- a request for them to attend a meeting at which the issue can be discussed – allowing at least 1 working days notice.
- details of the date, time and venue of the meeting.
- a statement making them aware that they have a right to be accompanied by a person of their choice
- copies of any written evidence, which may include witness statements.
- contain sufficient information about the alleged misconduct or poor performance and its possible consequences to enable the student to prepare to answer the case at a disciplinary meeting.

## **The Hearing**

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The following should be considered at the hearing:

At all formal stages of this procedure, the person chairing the meeting is advised to be accompanied by another member of staff who will act as a witness and take full notes of everything that is said.

Under no circumstances should any meeting or conversation be recorded without the prior permission of those present.

If the student does not wish to be accompanied this should be noted.

The companion is there to act as a witness to what was said, to provide moral support and to assist and advise the student in presenting his/her case. He or she may address the hearing (provided the student wishes this), ask questions on behalf of the student and confer with the student but not answer questions on behalf of the student, nor may the companion prevent LAL Language Centres from explaining its case. Fellow students may not be compelled to attend as a companion.

If the student is disabled, reasonable adjustments will be made to ensure that he or she is not disadvantaged at the hearing. This may include the provision of further assistance (e.g. a signer or other support) where necessary. Arrangements may also be made to assist the student who may need an interpreter.

The person conducting the disciplinary hearing will outline the complaint against the student and go through the evidence that has been gathered. The student will be given the opportunity to present any information in their defence, explain or comment before any decision is made.

A disciplinary hearing may be adjourned at any stage by the person conducting the hearing, in order to calm a tense situation, to check out facts or to take advice. Such adjournments will be kept brief wherever possible in order not to hold up the resolution of the hearing but may be extended where particular information needs to be checked in the interests of fairness or consistency.

The disciplinary meeting will either be closed or adjourned at this point so full consideration can be given to the situation and information received before a decision is made.

## **Making a Decision**

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Before making any decision on disciplinary action, LAL Language Centres will take into account the student's disciplinary and general record, any similar precedents, any mitigating circumstances or explanations given by the student.

Managers must document all thoughts/rationale relating to their decision giving full regard to the information gathered at the investigation and hearing stages.

If a formal warning is deemed necessary the manager will write to the student, within 1 working day of the meeting, and include:

- the nature of the misconduct and why this is not acceptable
- the level of improvement required
- the date by which it is to be achieved
- a statement making the student aware that this written warning is part of the formal disciplinary process and that if there is a re-occurrence of the issues raised or not sufficient improvement, this could result in a final written warning and expulsion

## **Appeals**

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A student has the right of appeal against any formal disciplinary decision. If a student wishes to appeal against a decision they should write to the School General Manager or Chief Operating Officer within 5 working days of the disciplinary decision.

The Appeal hearing will be conducted by a Senior Manager not involved in the matter to date.