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Positive Behaviour Procedure

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Version Control

Version	Author	Date	Changes
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INTRODUCTION

Edinburgh College is committed to promoting a positive learning experience for all students, and a positive working environment for all.

Every student has the right to learn in a safe and supportive environment. We are committed to creating a culture of respect and responsibility that promotes positive behaviour. As part of our commitment to supporting all students we have developed a Student Positive Behaviour Procedure that is fair and consistent.

This procedure covers all enrolled students and should be read in conjunction with the Student Charter. The procedure lays out the process that may be applied by College staff where a student does not exhibit positive behaviours. The procedure also details the type of action that may be taken to address different degrees of poor behaviour.

RESPONDING TO BEHAVIOURS

In the first instance, staff and students will endeavour to resolve concerns raised about poor behaviours and/or attitudes at an informal level. If the matter is not resolved informally, staff will implement this procedure on a formal basis and students involved will be made aware of the potential consequences of continued poor behaviours and/or attitudes.

We recognise that there might be some groups of students, such as our care experienced students, where challenging behaviours displayed might be as a result of previous trauma. In these instances, the College's response will be underpinned by nurture principles. Our Positive Behaviour Policy and Procedure emphasises the importance of restorative practices and seeks to address the underlying causes of misconduct.

Any instances of concerning or serious negative behaviour including gross misconduct, must be reported to the student's Learning Development Tutor (LDT), Course Tutor (CT) or Curriculum Team Manager (CTM) via ProMonitor, who will then take responsibility for leading on any consequent action. See Appendix 1 for a guide on how to create a record and alert on ProMonitor.

DEFINITION OF CONCERNING OR SERIOUS BEHAVIOURS

Below is a non-exhaustive list of conduct that is considered contrary to the Student Charter and the College's values. Any of the behaviours below may be considered gross misconduct, depending on the level of severity and impact of the behaviour:

- Disruptive behaviour likely to cause offence or have a negative impact on the learning experience
- Inappropriate and/or offensive language, particularly in areas where learning/teaching is taking place, excessive noise in areas where classes are being held
- Smoking or vaping in non-designated areas or indoors
- Persistent poor attendance/timekeeping without a valid reason being provided to staff

- Threatening, intimidating or abusive/violent behaviour including online bullying
- Breach of the College's Acceptable use of IT Policy
- Online/social media activity that is disrespectful or demeaning to other students and/or staff
- Carrying a weapon, or an item intended to be used as a weapon
- Bullying and/or harassment
- Displaying sexual images and /or material likely to cause offence in any form, including on mobile devices
- Theft and/or damage of property/vandalism
- Academic malpractice, including plagiarism and inappropriate use of AI (Artificial Intelligence)
- Failure to adhere to any regulatory body's Code of Conduct, in terms of Fitness to Practice either in College or on placement
- Breach of Health and Safety policy and procedures

On occasion, when serious behaviour is displayed and there is an imminent or actual serious threat to student, staff or public safety, the emergency services should be contacted via 999.

PROCESS FOR ADDRESSING SERIOUS OR CONCERNING BEHAVIOURS

INFORMAL APPROACH

The College wants to create a culture of inclusion and shared responsibility. Where a behaviour is considered inappropriate, or of concern, but is not felt to warrant formal action, staff have a number of options available to them. These options include;

- An informal conversation with the student – this may result in agreed behaviours or actions that should be captured through a Learner Agreement
- Onward referral to a College support service or LDT/Course Tutor prioritisation
- [Restorative Approaches](#) – this is particularly useful for addressing behaviours or challenging group dynamics

Any informal engagement should be logged on ProMonitor and appropriate staff alerted. A case conference may also be appropriate. Any member of staff can ask for a case conference and the most senior person involved should arrange to take this forward. Where a manager is not yet involved, an appropriate CTM or Student Experience Manager/Team Leader should be identified to lead on this activity.

FORMAL APPROACH

Investigation

If formal action is required, the LDT, CT or CTM should initiate a disciplinary investigation. Any student being investigated should be alerted to the investigation, in writing, by the staff member conducting the investigation. Depending on the behaviour identified, a student may be suspended before an investigation begins. A critical part of this process will be to meet with the student(s) involved to gather information about their views relating to their conduct or complaint made about them.

It is important that the student is offered the opportunity for representation at this meeting. Edinburgh College Student Association (ECSA) can assist with this, if required.

Suspension

In certain circumstances, it may be necessary to suspend a student. Types of situations that may result in suspension include violent/abusive behaviour, situations where the student is placing themselves or others at risk and conduct that can cause extreme stress to staff/students. The LDT or Course Tutor and the CTM would make the decision to review the behaviour and decide on whether suspension is an appropriate course of action.

The student should be informed of the reasons for their suspension in person or via phone call. The student should then be notified by letter. The reasons for the suspension must be made clear in the letter. See Appendix 2 for Suspension Letter Template.

Depending on a student's situation, it may be appropriate to share with partners supporting our students that they have been suspended from College. An example of this would be alerting a Social Worker supporting a student of that student's suspension. This would fall under the College's Corporate Parenting responsibilities. The College will always tell a student if they are going to share this information with a partner and why.

Suspension should normally last no longer than five working days. At times, suspension may last longer than five working days if the investigation is complicated or involves external engagement. If an investigation will take longer than five working days, the student will be informed of the reasons for this.

A note of the suspension must be documented on the student's ProMonitor record.

A student's Bursary payments will continue during the suspension period.

Outcomes of an Investigation:

- No further action
- Informal action or recommendations
- Formal disciplinary action

Disciplinary Meeting

If a disciplinary meeting is to be held, a letter should be sent to the student detailing the time, date and location of the meeting and who will be in attendance five working days before the date of the meeting. The letter should also include outline of the behaviour that has been referred for potential disciplinary action and any supporting evidence/documentation gathered during the investigation process. See Appendix 3 for a Disciplinary Invite Template Letter.

Any disciplinary meetings will be chaired by a CTM however, the staff member who conducted the investigation cannot also chair the disciplinary meeting so a Head of School (HoS) may occasionally be called upon to chair the meeting. A student can invite someone along with them to support them during the meeting. Any representative is present at the meeting to support the student and ask for clarification or breaks in the process but is not there to speak on behalf of the student unless this has been agreed by all present before the meeting commences.

At the meeting, the student will be given the opportunity to respond to the points raised, ask questions, provide additional context and/or evidence and submit any details around extenuating circumstances. The Chair of the meeting may also ask follow up questions and for further details or clarification. Notes of the meeting will be taken and will be shared following the meeting.

After the meeting ends, the Chair will outline their next steps, which may be time to consider the facts or to gather further information, and a timeline to communicate the outcome of the meeting. This should take no more than five working days and will be communicated in writing. See Appendix 4 for Disciplinary Outcome Template Letter.

Disciplinary Meeting Outcomes

The potential outcomes from a disciplinary process are;

- **No further action or no formal action**
- **Verbal warning with a Learner Agreement**
- **First written warning with Learner Agreement**
- **Final written warning with a Learner Agreement**
- **Withdrawal from the course**

Appealing the Outcome of a Disciplinary Meeting

The student has a right to appeal any formal outcome from a disciplinary meeting. A formal outcome is considered to be a verbal, first written or final written warning as well as withdrawal from the course.

Students can appeal on the following grounds;

1. Medical, personal or other circumstances which affected the student that the original panel were not aware of
2. The process not being followed correctly
3. New evidence which was not considered at the time of the original panel

The student must email their HoS within five working days of receiving their disciplinary meeting outcome letter, indicating which of the three grounds they are basing their appeal on. The HoS will then set up an Appeal Panel and will share the information with the panel members. If the HoS chaired the disciplinary meeting, a different chair of appropriate seniority should be appointed.

The Appeal Panel Meeting outcome must be communicated to the student by the Chair within five working days.

Appeal Panel Meeting

If an Appeal Panel meeting is to be held, a letter should be sent to the student detailing the time, date and location of the meeting and who will be in attendance five working days before the date of the meeting. The letter should also include outline of the disciplinary action taken and the student's basis for appeal. See Appendix 5 for an Appeal Panel Invite Template Letter.

A student can invite someone along with them to support them during the meeting. Any representative is present at the meeting to support the student and ask for clarification or breaks in the process but not there to speak on behalf of the student unless this has been agreed by all present before the meeting commences.

At the meeting, the student will be given the opportunity outline their reasons for appeal and to present any further supporting evidence. The chair of the meeting may also ask follow up questions and for further details or clarification. Notes of the meeting will be taken and will be shared following the meeting.

After the meeting ends, the chair will outline their next steps, which may be time to consider the facts or to gather further information, and a timeline to communicate the outcome of the meeting. This should take no more than five working days and will be communicated in writing. See Appendix 6 for Appeal Outcome Template Letter.

The decision of the Appeal Panel is final. Should a student wish to pursue further action following the outcome of an appeal meeting, they should do so using the College's Complaints Process.

OTHER CONSIDERTION

Fitness to Continue to Study

It may be that a student's behaviours or actions do not fall under the formal disciplinary process and informal approaches have not been successful. Where these behaviours are still of concern and relate to physical or mental health considerations, the College would address these through the Student Mental Health and Wellbeing Policy and Procedure.

Fitness to Practice

For courses leading to professional registration, relevant Fitness to Practise rules should be consulted in cases where a student is engaging in persistent concerning behaviours or serious behaviours. For example, [Fitness to Practise guidelines at the Scottish Social Services Council](#).

It is important that curriculum staff, who are well versered in Fitness to Practise rules, take the lead role in investigating and responding to such matters. The results of such investigations and any subsequent actions should feed into the disciplinary investigation process.

Appendix 1: Guide on how to create a record and alert on ProMonitor

Open the Student's PDR Pages.

- In the **Meetings and Comments** menu, select **Learner Comments**
- Select a user to be added to the FOA list from either the **Select** or **Search** lists and click the corresponding **Add** button.
- Click **Add New**

The screenshot shows the 'Add New' form with the following fields and callouts:

- Comment Type:** LDT Comment (dropdown) - Callout: **Select LDT Comment**
- Note:** Text area - Callout: **Add Notes**
- For the Attention Of:**
 - Select:** --Select-- (dropdown) with **Add** button - Callout: **If relevant, add users to the FOA list (see below)**
 - Search:** Text input with **Add** button - Callout: **Select a Reason**
 - Remove** and **Remove All** buttons
- Link to Meeting:** - Select a Meeting - (dropdown) - Callout: **Select a Reason**
- Reason:** - Select - (dropdown) - Callout: **If this relates to a particular course, select the Student Group**
- Priority:** - (dropdown) - Callout: **Set Priority and any other relevant flags**
- Link to Enrolment:** - Select an Enrolment - (dropdown)
- Time Spent (hrs):** Input field with **0** - Callout: **If this relates to a particular course, select the Student Group**
- Is At Risk:** (please select an enrolment if ticking this flag)
- For Student Support?**
- Visible in ProPortal:**
- Due Date:** dd/mm/yyyy
- Positive:**
- Read By Me:**
- Email Student:**
- Save** button - Callout: **Click Save**

Created by iainsummers on 10/09/2019 10:23

Editing the FOA list

The screenshot shows the 'For the Attention Of' section with the following callouts:

- Select:** --Select-- (dropdown) with **Add** button - Callout: **This contains any users associated with the studentManagers/Teachers of the Student Group(s) or users in the Tutor Group(s) the student is in.**
- Search:** Text input with **Add** button - Callout: **This allows you to search for any member of staff Type (part of) the staff name and select from list**
- Remove** and **Remove All** buttons

- To remove a user, select their name in the list, then click **Remove**.
- **Remove All** will remove all the users from the list- no need to select them first.
- **NOTE** - When users are added to the FAO list, they will be automatically be emailed by ProMonitor.
- The student is **not** emailed unless the **Email Student** box is ticked.

Appendix 2: Suspension Letter Template

DD/MM/YY

Dear [Click or tap here to enter text.](#)

NOTICE OF SUSPENSION

I am writing to notify you that an investigation has started to explore reported concerns about some of your behaviours recently.

Given the seriousness of these reported behaviours, I have taken the decision to suspend you from College for [Click or tap here to enter text.](#) Following the completion of the investigation, you will be notified of the outcome the investigation and what happens next.

During your period of suspension bursary payments will not be affected.

It has been reported that you may have [Click or tap here to enter text.](#) on [Click or tap here to enter text.](#). These types of behaviours do not align with the College's values and the Student Charter. I have enclosed a copy of the Positive Behaviour Policy and Procedure which details how the College process around ensuring our values are upheld.

You should not attend College during this time or attempt to contact anybody else involved in the investigation. Where possible, you are encouraged to remain engaged in learning through Moodle or whatever platform your lecturers use to share learning material.

You can seek advice from me about College work that you are currently undertaking, any assignments that may be due or any other support that you may need. I will be your point of contact with the College during this process.

You may also wish to speak to the Edinburgh College Students' Association (ECSA) for support and guidance during this process. <https://ecsa.scot/contact>

Yours sincerely

Insert name
Insert position (CTM/HOS)
insert name@edinburghcollege.ac.uk

Appendix 3: Disciplinary Invite Letter Template

DD/MM/YY

Dear [Click or tap here to enter text.](#)

DISCIPLINARY MEETING INVITATION

I have received a report of a serious nature which relates to your conduct. The nature of this report has led me to take the decision to convene a disciplinary panel. The details of the meeting are outlined below.

This meeting will take place on:

[Click or tap here to enter text.](#) at [Click or tap here to enter text.](#) in room [Click or tap here to enter text.](#) at [Choose an item.](#) campus.

This meeting will be chaired by:

[Click or tap here to enter text.](#), [Choose an item.](#) – [Choose an item.](#)

[Click or tap here to enter text.](#), Learning Development Tutor, will also attend the meeting.

The conduct or reported behaviours being discussed are:

[Click or tap here to enter text.](#)

You can bring along someone to support you at this meeting. You may also wish to speak to the Edinburgh College Students' Association (ECSA) about this matter, and to seek support and guidance from them during this process. <https://ecsa.scot/contact>

Yours sincerely

Insert name

Insert position (LDT/CTM/HOS)

insert name@edinburghcollege.ac.uk

Appendix 4: Disciplinary Outcome Letter Template

DD/MM/YY

Dear [Click or tap here to enter text.](#)

DISCIPLINARY MEETING OUTCOME

Following your recent Disciplinary Meeting on [Click or tap here to enter text.](#), I am writing to inform you that the outcome of the meeting is as follows:

Select option, and delete the rest

- No further action
- Verbal warning along with a Learner Agreement
- First written warning along with a Learner Agreement
- Final written warning along with a Learner Agreement
- Withdrawal from your course

No further action

Following the previous meeting the decision has been made to end the disciplinary process and no further action will be taken.

Verbal warning

The decision has been made to issue you with a verbal warning and a Learner Agreement which will go onto your student record. Any further issues may lead to further disciplinary action. This warning will remain on your record for the academic year.

First written warning

The decision has been made to issue you with a first written warning and a Learner Agreement which will go on your student record. Any further issues may lead to further disciplinary action. This warning will remain on your record for the academic year.

Final written warning

The decision has been made to issue you with a final written warning and a Learner Agreement which will go on your student record. Any further issues may lead to withdrawal from your course. This warning will remain on your record for the academic year.

If the outcome of the hearing is 'withdrawal from your course', the following text must be inserted:

Withdrawal from your course

Unfortunately, due to the serious nature of the behaviours discussed during the Disciplinary Meeting, the Chair has made the decision that the outcome of the meeting is to withdraw you from your course. This withdrawal is effective immediately.

I am sorry that this is the outcome of this disciplinary process however, the behaviours that you have demonstrated do not align with the College's values and the Student Charter that you signed up to when you joined the College community.

Any Bursary, EMA, Travel and/or Childcare funding you receive from the College will now be stopped. If you are in receipt of funding through the Student Awards Agency Scotland (SAAS), it is your responsibility to inform them of your withdrawal. Failure to do so may affect future funding.

(All letters cont.) Except No further action

You do have the right to appeal this decision and the process to appeal is included in the Positive Behaviour Policy and Procedure, which I have enclosed with this letter. You can appeal for the following reasons:

- Medical, personal or other circumstances which affected the student that the original panel were not aware of
- The process not being followed correctly
- New evidence which was not considered at the time of the original panel

If you wish to appeal, please contact **(insert the name and job title and email of the relevant Head of School)** via email within five working days stating the reasons why. The Head of School will then write to you indicating a date, time and venue for an Appeal Panel Meeting and other related matters.

You have the right to invite someone along to support you at this meeting. You may also wish to contact the Edinburgh College Students' Association (ECSA) to discuss this matter and seek further support and assistance. <https://ecsa.scot/contact>

Yours sincerely

Insert name

Insert position (CTM/HOS)

insert name@edinburghcollege.ac.uk

Appendix 5: Appeal Panel Letter Template

DD/MM/YY

Dear [Click or tap here to enter text.](#)

REQUEST TO APPEAL

I am writing to acknowledge the receipt of your appeal in relation to the [Choose an item.](#) issued following the disciplinary meeting on [Click or tap here to enter text.](#).

Your appeal did not fall under any of the options available to you to appeal under. This means that your appeal will not be heard and therefore, the outcome of the Disciplinary Meeting stands.

You may wish to speak to the Edinburgh College Students Association (ECSA) for support and guidance on this process. <https://ecsa.scot>. Should you still wish to appeal the outcome of the Disciplinary Meeting, we will allow you one further opportunity to submit your appeal under the terms that you are allowed to appeal on.

OR

You have appealed this on the grounds that:

[Choose an item.](#)

The information you have provided in your appeal will now be considered by a panel chaired by a senior manager and you are invited to an Appeal Panel Meeting to discuss these matters on.

The Appeal Panel Meeting will take place on:

[Click or tap here to enter text.](#) at [Click or tap here to enter text.](#) in room [Click or tap here to enter text.](#) at [Choose an item.](#) campus.

This meeting will be chaired by:

[Click or tap here to enter text.](#), [Choose an item.](#) - [Choose an item.](#)

[Click or tap here to enter text.](#), Learning Development Tutor will also attend the meeting.

You are entitled to representation at this meeting, and you may wish to speak to Edinburgh College Students Association (ECSA) for support and guidance during the process.

<https://ecsa.scot>

The decision of the panel will be communicated to you within five working days of the Appeal Panel Meeting and the decision of the panel is final.

Yours sincerely

Insert name

Insert position (CTM/HOS)

insert name@edinburghcollege.ac.uk

Appendix 6: Appeal Outcome Letter Template

DD/MM/YY

Dear [Click or tap here to enter text.](#)

OUTCOME OF APPEAL

Following your recent Appeal Panel Meeting on [Click or tap here to enter text.](#), I am writing to inform you that the outcome of the meeting is that your appeal has [Choose an item.](#)

You appealed under the grounds that:

[Choose an item.](#)

The panel found that [insert details relating to information/appeal grounds and the decision around how these did/did not contribute to the appeal being upheld/not upheld.](#)

The Verbal warning you were issued with following your Disciplinary Meeting will

[Choose an item.](#)

OR

The decision to withdraw you from your course is upheld.

OR

You will be reinstated on your course with immediate effect. [You will also be issued with a verbal/first written/final written warning.](#)

The decision of the panel is final.

Yours sincerely

Insert name
Insert position (CTM/HOS)
insert name@edinburghcollege.ac.uk