

Student Behaviour Management Policy

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1 Introduction

Wiltshire College is a professional learning environment with high expectations from and aspirations for its students.

We expect all students to behave in a way which matches this standard and comply with the code of conduct. Where behaviour is unacceptable it will be addressed by all staff using the 'right word; right time and place' basis and recorded on Promonitor where this is appropriate. In cases where behaviour is so bad that this is not possible this policy should be followed.

2 Purpose of this Policy

At Wiltshire College we are committed to providing a learning environment in which students can fulfil their potential and participate freely in College activities.

The purpose of these procedures is to;

- succeed in finding effective strategies which keep challenging behaviour to a minimum and allow Students who exhibit challenging behaviour within classes, to remain in class and on-programme.
- detail Wiltshire College's standards for behaviour and to guide staff in order to promote a safe and respectful culture.
- Outline how serious breaches of the Code of Conduct will be addressed

3 Scope

The policy applies to **all** students and trainees at the College. In addition, any validating university for a higher education course may also have its own procedures which will be followed, where appropriate.

The code covers the behaviour of students in the College's teaching and support areas, halls of residence, College social and sporting facilities and at the College generally.

The code also may include the behaviour of students away from the College campus where they are associated with the College and/or are travelling to or from College or involved in an incident that is of a serious nature and/or places the good name of the College into disrepute. In these cases, care must be taken to assure ourselves that the behaviour does, in fact, fall under our responsibility.

Students on College-approved industrial placements also fall within the scope of this code.

What is NOT included;

- Fitness to Study

At all times members of staff need to consider whether the Fitness to Study procedures are more appropriate than the disciplinary process. These are available in SharePoint for staff and on the College website for students.

If unsure, members of staff should consult their line manager; students' their Personal Tutor.

Reference should also be made to the Learning Skills Development Service to identify

whether any learning need has been identified which might influence student behaviour or hamper a full understanding of the procedures. See also section 9 - Students with Additional Support Needs.

- Attendance and Punctuality

The College expects 100% attendance from its students. Any student who has poor attendance (below 95%) would be a cause for concern. These issues should be addressed through the tutorial process.

- Assessment (including Exams) Malpractice

In cases of alleged 'cheating' in assessments, the appropriate procedure will be dictated by the Awarding Body and their process should be invoked.

4 Roles and Responsibilities

Whilst the discipline and behaviour of the class is primarily the responsibility of the class teacher, all staff are collectively responsible for ensuring that all students learn to be considerate to others and behave appropriately.

Clearly defined roles are outlined in Section 11.

5 Principles

This policy is designed to:

- ensure that students know what is expected of them and are supported in reaching and maintaining our high expectations
- inform all stakeholders about how we manage students' behaviour positively in and around College.
- ensure consistency of approach regardless of disability, age, race, gender, religion and belief, sexual orientation, gender reassignment, pregnancy and maternity, towards expectations and behaviour management actions throughout the College.
- ensure that students, staff and parents are clear about the expectations, both for their social behaviour and their learning behaviour.
- encourage students' sense of responsibility, independence and self-discipline.
- ensure the facts are established and the matter is investigated fully before disciplinary action is taken
- set out the stages of the College Disciplinary Procedure
- outline the sanctions which may be applied as part of the disciplinary procedure
- clarify the appeals procedure associated with any disciplinary actions
- ensure procedural fairness and legal requirements are met.

Where the disciplinary element has to be invoked, each case is investigated on its own merits and decisions are normally based on the balance of probability that an incident did or did not take place.

6 Code of Conduct for Students

The Code of Conduct at Appendix A explains how we expect students to behave whilst on College premises or taking part in College activities.

If students do not follow the Code of Conduct, action may be taken.

7 Recognising Positive Behaviour

Wiltshire College & University Centre recognises student success in a number of ways.

8 Misbehaviour; Classroom/wider Campus Management

Whilst the discipline and behaviour of the class is primarily the responsibility of the class teacher, all staff are collectively responsible for ensuring that all students learn to be considerate to others and behave appropriately.

If the Code of Conduct is broken through poor choices, we will first use a 'restorative approach' to support students and enable them to move on and learn from the situation.

Please avoid having a separate list of class rules – the College Code of Conduct should cover everything.

Where tutors feel there may be issues with behaviour developing, they need to be proactive. It may be appropriate to discuss things with parents first or call a meeting with others in College to identify a clear strategy for support, followed by a meeting with parents (if under 18 or if consent is given). It might be appropriate to do this early in the year to extend or review strategies as students settle in. Transition meetings with the student's previous teacher may help this process.

Where students have made the wrong behaviour choices, the tutor needs to be told or consulted with as they have a key role in these discussions, and a note should be made on Pro-monitor. This is down to professional judgement.

As a general rule, students should not be asked to leave class as the main objective is to manage behaviour in order to focus on learning. However, many students will know how best to manage their own behaviour and 'time out' can be an important step in doing this. In these cases, a discreet pre-agreed signal can be given to allow a short 'time out' when a student feels the need to calm down. It is important to understand that failing to allow a student to 'escape' from a difficult situation is predictably likely to cause a 'meltdown' and make the behaviour worse. Appendix B gives an overview of the behaviour types.

8.1 Students with particular needs – additional aspects for consideration

The expectation of standards of behaviour to be adhered to is the same for all students. However, the College recognises there may be some instances where students with additional learning support needs require additional consideration on a case by case basis (such as those with literacy difficulties; English as a second language; learning difficulties or disabilities; vulnerable young people or adults and those with mental ill health).

9 Serious misbehaviours

9.1 Gross misconduct

Gross misconduct is generally seen to be such a serious misdemeanour the College considers it is not possible to continue to allow the student to study at College or be on College premises. These cases will result in a panel hearing

If proven, these would normally result in exclusion from the College.

9.2 Criminal activity

The College reserves the right to report potentially criminal activity to the police, and/or to advise victims of such activity of their right to do so. If an incident is serious, and of a criminal nature, we may defer disciplinary action pending the outcome of criminal proceedings. In exceptional circumstances we may also take the decision to suspend a student until the outcome of the proceedings is known.

10 Physical Intervention

Physical intervention or restraint should only be used as a last resort in extreme circumstances and when all other methods have been deployed and staff should never use more force than is necessary. The reason for the use of physical intervention or restraint is to keep people safe:

- to prevent a student from injuring themselves, other students or staff
- to prevent serious damage to property

11 Disciplinary Procedure (see overview at Appendix C)

The Tutor has the overview of their tutee's disciplinary position and MUST BE informed via ProMonitor of any disciplinary action.

The following procedures will be used if a student breaches the Code of Conduct:

11.1 ABC Contract

This is a contract between the student and the College and can be used either prior to or as part of any disciplinary stage. It lists the issues and actions against the relevant headings and provides students with clear expectations and consequences. ABC Contracts are recorded in Pro-Monitor/Pro-Portal as an ABC Contract Meeting.

11.2 Informal stage

For instances of misconduct, the tutor, or other member of staff, may deal with the incident by means of an informal verbal warning. In such instance's students will be advised;

- of the College's Code of Conduct
- of the standards of behaviour expected (ABC's) and issue an ABC Contract if required
- that any further misconduct will be dealt with formally under the College's Disciplinary Procedures.

The College expects that members of staff will work with students and tutors to resolve poor performance, or other minor issues, informally before a formal disciplinary warning is considered.

Entries on Pro-Monitor should clearly and descriptively record the incident in order to avoid misinterpretation. Entries should identify follow up actions and the outcome.

11.3 Formal Stage

For very serious breaches of the Code of Conduct

11.3.1 Information Gathering

Information will be gathered by the person alleging the misconduct regarding the alleged serious misconduct **before** disciplinary action taken. This is likely to involve interviewing and gaining information from staff and students who were involved or witnessed the alleged misconduct. Such information will be recorded in writing using the form in Appendix E.

11.3.2 Outcome and action

The following outcomes of the disciplinary information gathering are possible:

- no case to answer
- student offered counselling/support
- allegations appear to be substantiated and there is a suggested intervention or resolution, or
- there is a case to answer, recommendation is for disciplinary action to be taken as appropriate by the HoD.

Recorded Verbal Warning (given by any staff)

In cases too serious for informal action, or where misconduct persists despite an informal warning, students may be given a recorded Verbal Warning.

In such instances the member of staff will:

- Issue/signpost a copy of the Code of Conduct
- Hold a disciplinary interview with the student
- Inform the parent (or person with parental responsibility) if the student is under 18 at the start of the course, or College if under 16, or employer if an apprentice
- If appropriate, issue a Verbal Warning and/or ABC contract
- Provide firm advice on how to correct behaviour
- Advise that behaviour must improve
- Record actions on Pro-Monitor

First written warning (given by Tutor)

If deemed more serious, students may proceed directly to the First Written Warning stage.

In such instances the member of staff will:

- Signpost a copy of the Code of Conduct
- Hold a disciplinary interview with the student and issue written warning and/or ABC contract
- Inform the parent (or person with parental responsibility) if the student is under 18, or School if under 16, or employer if an apprentice

- Confirm the outcome in writing within five working days of the disciplinary interview, sending a copy to parent (or person with parental responsibility)/College/employer if appropriate
- Students or the tutor may request that parents/carers/employers be invited to College to help resolve the situation with the Personal Tutor and/or Head of Department/Deputy Head of Department
- Tutor will provide clear guidance as to what needs to be done to improve behaviour and a clear indication of what will happen if this does not
- There may be a clear referral to internal/external support agencies and/or a requirement for other sanctions/conditions

Meeting and action(s) taken will be recorded on Pro-Monitor. Outcomes will be documented in terms of agreed conditions or SMART target(s) for improvement. These will be recorded in the student's eILP on Pro-Monitor and progress meetings will be scheduled with the Personal Tutor/Lecturer as appropriate.

Final Written Warning (given by Deputy Head of Department/Head of Department)

If misconduct is sufficiently serious, students may be given an immediate Final Written Warning.

For ALL of the above student/parent/carer/employer will be informed as appropriate.

11.4 Gross Misconduct (addressed by Head of Department)

When a student is believed to have committed Gross Misconduct, all members of the SMT, Assistant Principal or College Management Group (where no member of the SMT is available) can immediately suspend a student. The matter will be dealt with from Stage 4 of the Disciplinary Procedures.

It is important to note that warnings can be repeated for similar misconduct. It is not automatic for a second offence to create the next level of warning.

11.4.1 Disciplinary Panel Hearings

If gross misconduct is alleged, and substantiated by investigation (see Annex B), a disciplinary panel hearing will be followed as outlined below:

The Disciplinary Panel will be chaired by a member of the College Management Group. Students have the right to be accompanied by a parent/guardian/carer/person with parental responsibility or fellow Wiltshire College student/student representative or member of staff, as a supporter. It is the student's responsibility to contact their supporter. The role of the supporter is to provide moral support and ensure students have understood the process and any questions being asked. It is not the role of the supporter to speak on the student's behalf. The procedure does not allow for legal representation on behalf of the student in disciplinary interviews.

Outcomes open to the Disciplinary Panel are as follows:

- To readmit the student with or without an ABC Contract
- To exclude the student permanently: The Disciplinary Panel may consider the

offence to be of such severity that the student is excluded from the College without leave to return.

- To exclude for the remainder of the academic year. The student can re-apply to the relevant campus Assistant Principal for the following academic year. Any failed application may be subject to the Fair Access Panel (Admissions).
- Exclusion for other periods together with other sanctions/conditions (see section 9 below) may be applied, if appropriate, to the issue or where mitigating circumstances exist.
- To issue a final warning.
- Any exclusion to be authorised and actioned by the Chair of the Disciplinary Panel or another member of SMT.
- Students to be informed of any outcomes within 2 working days.

11.5 Exclusions

If a student is excluded from the College, they will receive a letter stating the reason and conditions of the exclusion and details of any future return to College.

12 Other sanctions/conditions to be met

The College will seek to use restorative justice measures, when possible and appropriate, to help address conflict, build a student's understanding of the real impact of their actions and to take responsibility and make amends. In all cases a single option or combination of options can be imposed as appropriate.

The following may be appropriate to use within the above disciplinary framework:

- **Compensation** - the student is required to pay a reasonable sum to the College or third party by way of compensation for identified and quantified loss or damage.
- **A Requirement to perform Unpaid Services:** the student is required to perform unpaid services for the College up to a maximum of 30 hours.
- **Restorative justice** – if appropriate, the student will have one or more mediated sessions with any individuals who have experienced negative consequences as a result of the student's misconduct. This will provide the student with an opportunity to make reparation for harm caused. Mediated sessions will be arranged with an appropriate mediator.
- **Loss of privileges:** a student may temporarily lose the right to access College amenities (e.g. social events/common room/residential accommodation/use of bar/College car park) or be placed under a vehicle ban or withdrawal of financial assistance (16-18 Bursaries) or be required to step down from a position of responsibility.

13 Appeals

Under the disciplinary framework, appeals are permitted at stages 3 and 4. Students must submit an appeal in writing, within 10 working days of receipt of the warning/exclusion letter. The letter will state to whom the appeal should be made. The manager conducting the appeal will conduct an appeal interview with the student and notify them of the decision in writing within five working days.

A student may ONLY appeal if they believe one of three grounds for appeal is satisfied.

- that they were not provided with a fair hearing
- that there is new evidence, unavailable at the earlier hearing, that would have affected the outcome
- that the penalty imposed is disproportionate to the misconduct

A request for appeal must identify the grounds of appeal. An Assistant Principal will determine whether the grounds are sufficient to allow an appeal.

In the event of an appeal being allowed the Assistant Principal, or their nominee, will constitute and chair the Appeal Panel.

The date of the appeal hearing will be set to allow all parties sufficient time to collate and present evidence. The Appeal Panel will take evidence from the student and review the findings of the Panel Hearing.

The Panel may determine one of three outcomes and their decision is final:

- that both the finding of guilt and the penalty imposed be upheld
- that the finding of guilt is confirmed but that the penalty is re-determined
- that the finding of guilt is overruled

14 Records of disciplinary action

Details of interventions, written warnings, exclusions, suspensions and appeals will be held on Pro-Monitor. Where a student has been suspended, or excluded from College, a note will also be kept on the College MIS system (Pro-Solution) to ensure any new application is referred to the College's Fair Access Panel (Admissions). Exemplar letters can be found in appendix D.

15 Residential and Work Based Students whilst in the workplace

It should be noted that circumstances (such as offsite trips) will occur where it may not be possible to fully employ the disciplinary framework as it is described within these procedures and staff will be expected to use their judgement to stay as close as is possible to the process.

At the Lackham or Salisbury Campus, where misconduct occurs, it will depend upon the nature and severity of the misconduct as to whether the Assistant Principal and/or the Residential Accommodation Manager deals with the situation.

In the case of Work Based Students/Apprentices, the initial referral will be to the Assessor, with further referral to the Head/Deputy Head of Department. If the student is 16-18 the parent and employer will be informed, if aged 19+ the employer only. The Head/Deputy Head of Department, in consultation with the employer, will decide the correct action to take in relation to these procedures and the employer's own policies/procedures.

16 Associated Documents (Linked Policies)

- Admissions Policy
- Safeguarding Policy (including Prevent Procedure)
- Health & Safety Policy
- Health & Wellbeing Policy
- Fitness to Study Procedures

17 Equality Statement

Wiltshire College strives to ensure equality of opportunity for all students, local people and the workforce. As an employer and a provider of education, the College aims to ensure that none are placed at a disadvantage as a result of its policies and procedures. It is intended that this policy is fair to all. Where any part could potentially lead to unequal outcomes, the policy then justifies why this is a proportionate means of achieving a legitimate aim.

18 Policy Review and Ownership

This policy will be reviewed and amended as required, and at least every two years by the policy owner - Safeguarding and Tutorial Manager. The document is managed by the Campus and Curriculum Admin Team Leader

Appendix A - Code of Conduct

CODE OF CONDUCT

September 2019

Ready – It is the responsibility of all students to take appropriate ownership of their own learning. This requires them to be on time, in the right place, correctly equipped and ready to learn in all classes.

Safe – It is the responsibility of everyone to behave in a safe manner and not put themselves or others at risk.

Respectful – It is the responsibility of all to show due respect to the College, including other students, staff, property and the College's reputation.

Behaviour management is everyone's responsibility and all staff should encourage students to create a safe and respectful culture. Very serious behaviour that contravenes the Code of Conduct and cannot be addressed at the time will be dealt with through the Student Behaviour Management Policy. Where there is risk assessed evidence that a serious criminal offence has occurred, the matter will be referred to the police for investigation. Any conduct that constitutes a criminal offence will be regarded as a breach of the Code of Conduct.

Appendix B – Examples of Conduct Concerns

Examples (but not limited to) of Conduct Concerns;

Informal Stage
<p>Low level bullying</p> <p>Use of inappropriate language that is disrespectful, offends or may be discriminatory in its nature</p> <p>Minor instances of inappropriate or disruptive behaviour which affects the learning of others (behaviour which solely affects a student's own learning will be managed through the College's Student Performance policy)</p> <p>Smoking in a non-smoking area</p> <p>Dangerous driving in College car parks and on access roads</p> <p>Encouraging others to misbehave</p> <p>Rudeness and non-co-operation with any member of staff</p> <p>Laying hands on another student/ minor aggressive outburst</p> <p>Sustained inappropriate behaviour which affects the learning of others</p> <p>This list is not exhaustive and is intended to provide examples only. Context and nature of the Student will be considered.</p>
Formal Stage
<p>Sustained bullying</p> <p>Behaviour or language which is deemed as a serious threat of harm</p> <p>Vandalism or damage to College property</p> <p>Blatant refusal to follow instructions from a member of staff and/or refusal to show their ID</p> <p>Allegation of being in possession of cannabis or similar</p> <p>Suspicion of being under the influence of drink or drugs</p> <p>Assault</p> <p>Gambling on College premises</p> <p>Health and Safety breaches that impact on the safety of others</p> <p>The use, possession, exchange or selling of controlled drugs, solvent abuse or legal highs on any part of the campus</p> <p>Reckless or dangerous behaviour</p>

Theft

This list is not exhaustive and is intended to provide examples only. Context and nature of the Student will be considered.

Examples (but not limited to) of Gross Misconduct

Promotion of or recruitment to an organisation which is linked to violent extremist behaviour

Theft or unauthorised possession of any property or facilities belonging to the College or any member of staff or a student

Serious damage deliberately sustained to the property of the College, students, staff or members of the public including graffiti or vandalism on/away from College property

Persistent actions which prevent other members of the College community from working or studying

Deliberate falsification of College documentation or records

Serious negligence which causes unacceptable loss, damage or injury

Violent, dangerous, abusive or intimidatory conduct including carrying or use of weapons towards staff, visitors, fellow students or members of the public

Deliberate violation of the College's rules and procedures concerning Health and Safety

Incapacity owing to the consumption of alcohol or misuse of drugs (any prescribed medical treatment or condition will be taken into account when determining what action is appropriate)

Serious misuse of College property or equipment, including use of photocopiers, phones and other IT equipment for personal purposes without prior agreement

Bullying or Harassment, victimisation or discrimination against another student or staff member or visitor on any grounds, including age, disability, ethnic origin, gender, sexual orientation, marital status, religion or belief

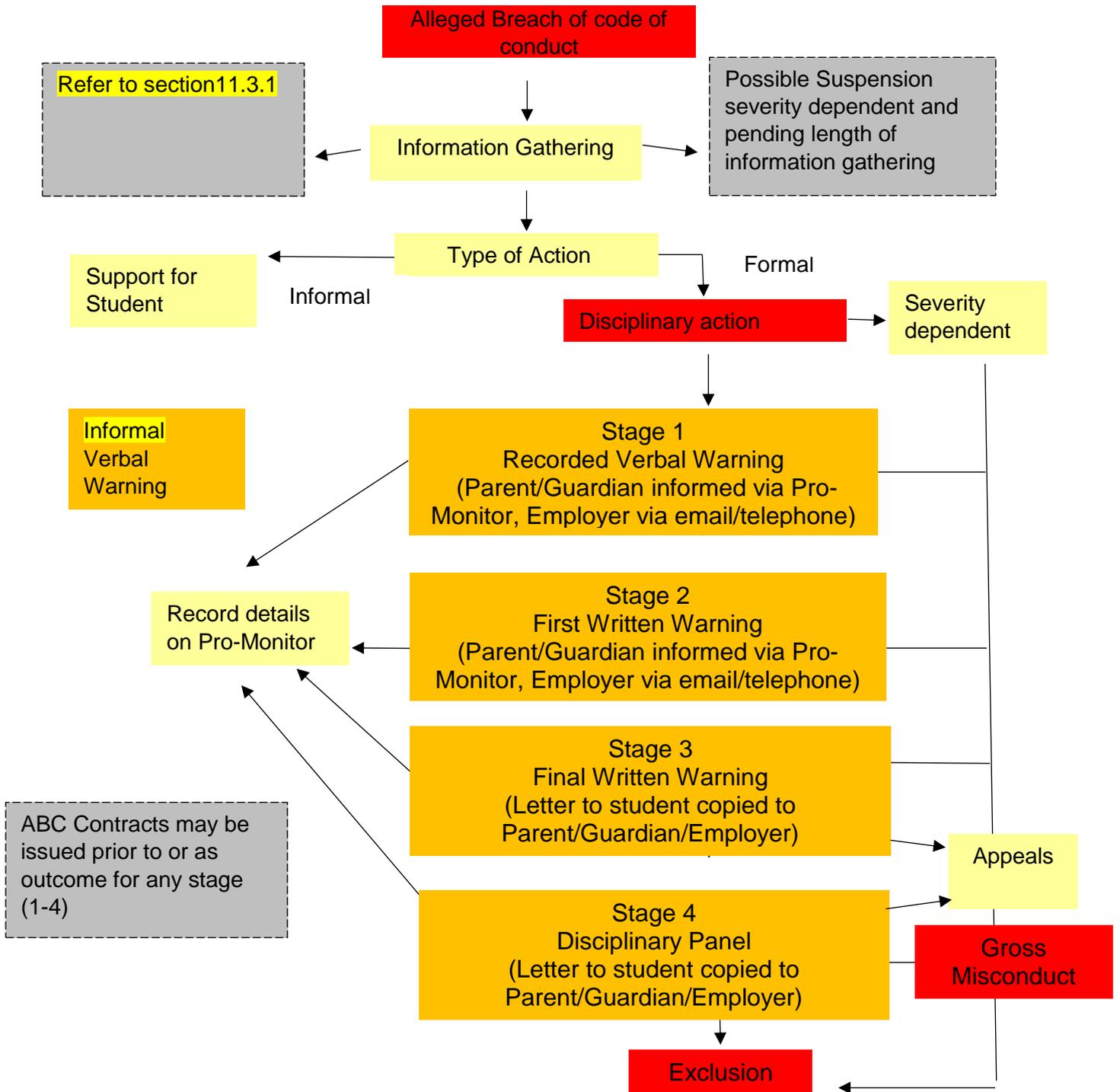
A criminal offence which may adversely affect the College's reputation or the student's suitability to continue on the course, e.g. the supply or purchase of illegal substances

Repeated serious breaches of the Code of Conduct.

Any actions, such as criminal behaviour, in or out of College, which, according to the Senior Management Team, may bring the College into disrepute.

This is not a complete list but is included as illustration of behaviours or actions that fall within the definition. Context and nature of the Student will be considered.

Appendix C – Flow Chart



Appendix D – Example Letters

16 January 2018

Name

Address

Ref: rh/rs

Dear

The purpose of this letter is to confirm you have, today, received a verbal warning following your recent behaviour, which breaks the following rules in the Student Code of Conduct:

Ready – It is the responsibility for all students to take appropriate ownership of their own learning. This requires them to be in the right place, equipped and ready to learn in all classes.

Safe – It is responsibility of everyone to behave in a safe manner and not put themselves or others at risk.

Respectful – It is the responsibility of all to show due respect to the College, including other students, staff, property and the College's reputation.

You have been given this warning because

I would remind you this verbal warning will remain on your record for the duration of your course and will be taken into consideration should you be involved in any future incidents. Any further breaches of the Code of Conduct may result in disciplinary action and may well lead to a further reprimand and, possibly, your exclusion from the College as stated in the College Code of Conduct and Disciplinary procedures.

Yours sincerely

cc: Parents/Guardians

Appendix E – Evidence Collation Form

Student Name					
Student Number					
Course Code					
Lecturer/Tutor					
Email Address					
Date					
Campus					
EHCP	Yes		No		
Maths Class	Yes	No	English Class	Yes	No
Inside Class	Yes	No	Outside Class	Yes	No

Allegation
Evidence
Please attach any additional files or information:
Code of Conduct Area

Action Required
Additional Notes/Comments

Name:

Signed:

Date:

Please return completed form to Curriculum Admin