

Student Behaviour Guidelines



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These guidelines are to protect staff and students and, in order to be effective, they must be followed at every stage in a consistent manner across all campuses of the College.

1. Code of Conduct

The Code of Conduct sets out the college requirements for student behaviour whilst on college premises or taking part in college activities, so that all students know what is expected of them. It is referred to in the student agreement and Student Handbook, and should be brought to the attention of all students at induction. The college reserves the right to investigate incidents which occur off-site if they are between two (or more) students or student(s) and staff.

Whilst it is not possible or desirable to lay down an exhaustive set of standards, the Code of Conduct lists the college's general expectations in terms of:

- behaviour
- attendance and punctuality
- work / study performance
- attitude
- work ethics.
- Strategies to prevent bullying (Tutorial SoW)

If the Code of Conduct is not adhered to, Behaviour action may be taken.

2. ICT Acceptable Use Policy / Netiquette Guidelines

Any breaches of agreement policies/guidelines are a Behaviour matter.

3. General Notes

3.1 Students under 19 years of age at the start of their course

A student of 19 years of age, or under, at the start of their course and subject to proceedings under this policy, will have parents/guardians informed at all times and be invited to be present at any such meeting, unless contact has been withdrawn or such attendance would prejudice a fair and effective interview. Adjustments must be made when the parent/guardian requires support with communication (e.g. limited knowledge of English, deafness) to ensure that they fully understand the Behaviour procedure and consequences.

Meetings should not be delaying if the parent/guardian cannot attend.

In some circumstances, parent/guardian contact may be made at an earlier stage.

The Academic Review Tutor, PAT's/PPD will meet weekly to monitor students at risk with attendance below 85% to ensure early intervention strategies are put in place.

3.2 Mental Health / Wellbeing

Students whom declare that they have mental health / wellbeing issues as reasons for performance concerns must be referred to the Fitness to Study Procedure and a Support Management Plan conducted prior to being taken through these procedures to ensure that reasonable adjustments can be made for that students. A brief notice of the meeting held should be added to ProMonitor / OneFile under the meeting type as 'Fitness to Study'.

3.3 Looked After Children

Students whom are looked after or leaving care must not receive a Behaviour warning until the Group Director of Student Services (Designated Teacher for Looked After Children) has been informed.

The Social Worker / Personal Advisor should be informed of any concerns, at the earliest opportunity.

3.4 Students with Educational Health Care Plans (EHCP)

Students with Educational Health Care Plans must not receive a Behaviour warning until a discussion has taken place with the Vice Principal (Maths and English, Additional Support and Foundation)

At all stages, staff may wish to:

- Involve a student's parents / guardian / employer / professionals involved in their care at an earlier stage in the process, whatever the age of the student
- Have an additional discussion with the student at the informal stage, before further action is taken, and allow enough time for the student to demonstrate appropriate behaviour before moving on to the next stage
- Following an incident, monitor the situation closely for a period of up to 2 weeks
- Where students involved in an incident come from different programme areas, arrange a meeting between the relevant tutors to discuss an appropriate way forward for all parties. This may need to be overseen by an appropriate manager
- Take account of a student's learning difficulties and/or disabilities as mitigating circumstances when determining the outcome
- Reasonable adjustments must be made, for instance, allowing the student to be accompanied by more than one person in a Behaviour meeting if they wish (e.g. Autism Coordinator etc).

Students should be advised that they and their parents / guardian / employer / professionals involved in their care may seek the advice of their Personal Achievement Tutor (**PAT**)/ Personal & Professional Development (**PPD**)/Training Coordinator / Training Coordinator and/or student Services at any stage of the process.

3.5 Apprenticeship Students (All Ages)

Apprenticeship students committing academic offences such as lateness, absence, behaviour, late work, plagiarism, cheating etc or misconduct issues should be dealt with through this procedure, but the incident should be reported by the Training Coordinator, to the employer, as it is their responsibility.

The levels of responsibility, investigation/interview procedure and possible outcomes are as for all other misconduct.

Any records of Behaviour should be recorded on OneFile by the Training Coordinator.

3.6 Higher Education

Students studying on Higher Education courses who breach the Behaviour procedures will be dealt with under [Annex A](#) of this procedure.

3.7 Student Advocate

An advocate for the student will be provided, if requested, from the relevant Student Services department, where possible. They will be there to support the student offering advocacy and guidance on the Behaviour procedures. This would usually be the PAT/PPD Tutor for the student, however, if there is a conflict of interest, another PAT/PPD will be invited to attend.

3.8 Time Periods

With the noted exception of the time allowed for lodging an appeal, time periods stated in this policy are for guidance and may be varied by the college if it is not practicable to adhere to them. Written notice of any such variation will be given.

Days stated in this policy are working days rather than calendar days. Documentation will usually be sent via email however documents sent by first class post will be deemed to be received within 48 hours of posting, which occurs at the end of each college working day.

3.9 Variations and Amendments

In some cases it will be desirable or necessary that variations should be made to procedural aspects of this policy. The College may make such variations as it sees fit, subject to informing the student concerned and always subject to considerations of fairness and equity of outcome. Without limitation such variations may include: different persons conducting Behaviour or appeals interviews should a conflict of interest or authority arise, cover of interviews by another person of authority due to unavailability due to incapacity or illness.

4. Unacceptable Behaviour

The following are examples of what the College considers to be unacceptable behaviours which may result in Behaviour action. It is not intended that this is an exhaustive list of such behaviours:

- Physical, racial or verbal abuse, or threat of abuse, of any person on College premises (or at College activities); or anyone employed by, or working on behalf of, the College
- Any form of harassment, or intimidation including by electronic means e.g., cyberbullying
- Possessing, selling, using or distributing controlled substances or weapons
- Breaches of College fire and other health and safety regulations (including failure to comply promptly with evacuation procedures, and interference with safety notices and equipment)
- Theft or attempted theft of personal or College property
- All forms of dishonesty, including cheating, or plagiarism (academic dishonesty)
- Knowingly furnishing false information to the College
- Forgery, and alteration or unauthorised use of College documents with intent to defraud others or to misrepresent oneself
- Using, or trading in, alcohol on College property or at College activities, except where prior written permission is granted by the Principal
- Breaches of no-smoking policy and/or practices (e.g. smoking in unauthorised places)
- Unauthorised gambling in College premises or at College activities. (Authorisation can only be granted by the Principal and any request for authorisation must be made to the Principal, in writing)
- Wilfully damaging, or threatening to damage, any College property or facilities
- Accessing, handling or distributing any unacceptable material (e.g. pornographic or racist) either in electronic or paper media
- Unacceptable use of College IT systems to include breach of the College's Acceptable Use Policy
- Failure to seek the written approval before posting images of the College itself, its staff, students or contractors to social networking or content sharing sites
- Littering, defacing or destroying personal or College property
- Wilful disruption of College activities
- Breaches of College parking regulations or prohibitions
- Unauthorised entry to College premises or activities
- Issues arising from poor academic performances
- Refusing to depart from College premises when instructed to do so by an authorised member of College staff, or any person contracted by the College (e.g. security staff)
- Wilfully encouraging others to commit any of the above acts

- Being arrested and/or charged or convicted of a criminal offence which, in the opinion of the College, would give rise to a legitimate concern that continued attendance at College may have an adverse effect on the work of the College, or pose an unacceptable risk to College staff, or students, or any others who regularly work in or attend the College.
- Where any member of staff has reason to believe that a student may have committed a criminal offence, the College may refer the matter to the Police and may continue Behaviour proceedings under this procedure or suspend the student pending the outcome of the Police enquiries and any subsequent charges which may be brought against the student. Where the student has been suspended under these conditions, when the results of the enquiry and any criminal proceedings under this procedure in relation to the matter. It is emphasised that in relation to the application of this procedure, the College is not bound by the result of any criminal proceedings against students*.

**The college reserves the right to refer matters to the Police where it believes that there is evidence that a criminal offence has been committed. The Child Centred Policing document '[When to Call the Police](#)' will be used to establish whether the Police need to be involved. Where prosecution is considered any documentation collected as evidence in the Behaviour process, will be passed over to statutory authorities.*

Where the College considers an instance of unacceptable behaviour to be an act of gross misconduct then this will be dealt with through the formal Behaviour process.

Where the College considers an instance of unacceptable behaviour to be unlawful the relevant authorities will be informed. The College will usually try to deal with unacceptable behaviour on an informal basis and will only use the formal Behaviour procedure when this proves unsuccessful or is inappropriate in the circumstances (e.g. an instance of gross misconduct).

5. Procedures

Students should progress through all these stages or, where the seriousness of the incident justifies it, stage 1, 2 3 and 4 may be omitted. Staff are expected to use their professional judgement in deciding the severity of the misdemeanour, referring queries to their Course Manager, Head of Department or Vice Principal.

Stage 1 - Informal Warning

If a student's behaviour does not reach the required standard, a member of College staff, will discuss the problem with the student, setting an appropriate action plan which will be in place for a minimum of two weeks (Part-time and short course action plans will be in place for a minimum of 2 college days) and upload on ProMonitor / OneFile. The Action Plan can be on the template attached and uploaded to ProMonitor / OneFile or within the ProMonitor SMART Targets section. It is the responsibility of all teachers to monitor the student's continued behaviour/performance and adherence to the Action Plan. If relevant, an **Informal Warning** can be given at this stage. **Note – If the action plan is not adhered to or further incidents occur, an escalation to the next Behaviour stage may be required.**

The person issuing the Behaviour is to make a call to the Next of Kin (if under the age of 18) to inform them of this warning received.

Notification of Stage 1 letter to be sent (email / post) to the Next of Kin and Employer, if appropriate.

This is formally recorded on ProMonitor / OneFile in the 'Student Meeting – Stage 1' section.

This warning is considered to be spent after two months.

Stage 2 - Verbal Warning

If a student's behaviour continues to be unacceptable, or where the unacceptable behaviour is of a more serious nature, the Academic Tutor will issue a **Verbal Warning**. The student will then be set an appropriate action plan which will be in place for a minimum of two weeks (Part-time and short course action plans will be in place for a minimum of 2 college days) and upload on ProMonitor / OneFile. The Action Plan can be on the template attached and uploaded to ProMonitor / OneFile or within the ProMonitor SMART Targets section.

The Verbal Warning will be confirmed in writing to the student and their Next of Kin, if the student is under the age of 18 and their Employer, if appropriate; this constitutes an official warning and will be held in the student's personal record and is considered to be spent after three months.

This is also formally recorded on Pro-Monitor / OneFile using 'Student Meetings – Stage 2' detailing the outcome of the meeting.

Stage 3 - First Written Warning

If a student's behaviour continues to be unacceptable, or where the unacceptable behaviour is of a more serious nature, the Course Manager will meet with the student, and their Next of Kin, if the student is under the age of 18, and issue a **First Written Warning** explaining the reasons of the unacceptable behaviour.

The Course Manager will inform the student of the date, time and venue of the meeting which will be within 5 working days of the warning. This can be done verbally but must be followed up by an email/letter.

The following may attend the meeting: the student, Course Manager, Personal Achievement Tutor / Personal & Professional Tutor/ Training Coordinator. The student may invite parent/guardian and/or student advocate or employer/sponsor to attend.

The Parents/Guardians do not have to be in attendance at this meeting. The meeting should not be delayed if they are not available to attend.

The Course Manager will inform the student and parent/guardian/employer, if appropriate, in writing (email/letter) of the date, time and venue of the meeting.

The student will be set an appropriate action plan which will be in place for a minimum of two weeks (Part-time and short course action plans will be in place for a minimum of 2 college days) and upload on ProMonitor / OneFile. The Action Plan can be on the template attached and uploaded to ProMonitor / OneFile or within the ProMonitor SMART Targets section.

The First Written Warning should be delivered at the meeting however, confirmation must be issued within 5 days of the meeting to the student and their Next of Kin, if the student is under the age of 18 and their Employer, if appropriate. It will give brief reasons for the decision and state that any continued, repeated or similar issues by the student can result in escalation to the next stage of the Behaviour Procedure or in the student's formal suspension with a recommendation for permanent exclusion from the college; this constitutes an official warning and will be held in the student's personal record and is considered to be spent after six months.

This is also formally recorded on Pro-Monitor / OneFile in the 'Student Meeting – Stage 3' section.

Stage 4 - Final Written Warning

This is the final stage of the Behaviour procedure. If a student's behaviour continues to be unacceptable, or where the unacceptable behaviour is of a more serious nature, the Head of

Department will issue a **Final Written Warning** explaining the nature of the unacceptable behaviour.

The Head of Department will inform the student of the date, time and venue of the meeting, which will be within 5 working days of the warning. This can be done verbally but must be followed up by an email/letter.

The following may attend the meeting: the student, Course Manager, Personal Achievement Tutor / Personal & Professional Tutor/Training Coordinator. The student may invite parent/guardian and/or student advocate or employer/sponsor to attend.

The Head of Department will inform the student and parent/guardian/employer, if appropriate in writing (email/post) of the date, time and venue of the meeting.

The Parents/Guardians do not have to be in attendance at this meeting. The meeting should not be delayed if they are unavailable.

The student will be set an appropriate action plan which will be in place for a minimum of two weeks (Part-time and short course action plans will be in place for a minimum of 2 college days) and upload on ProMonitor / OneFile. The Action Plan can be on the template attached and uploaded to ProMonitor / OneFile or within the ProMonitor SMART Targets section. It is the responsibility of all teachers to monitor the student's continued behaviour/performance and adherence to the Action Plan.

The Final Written Warning should be delivered at the meeting however, confirmation must be issued within 5 days of the meeting to the student and their Next of Kin, if the student is under the age of 18 and their Employer, if appropriate. It will give brief reasons for the decision and state that any continued, repeated or similar issues by the student can result in escalation to the next stage of the Behaviour Procedure or in the student's formal suspension with a recommendation for permanent exclusion from the college; this constitutes an official warning and will be held in the student's personal record and is considered to be spent after twelve months.

At this stage of the Behaviour procedure, should there be no significant improvement, the student is at risk from being withdrawn/suspended from their course and should things not improve, the student should be moved to a Stage 5 Dismissal Hearing.

Stage 5 - Gross Misconduct or Dismissal

In cases where it is alleged that the gross misconduct has occurred, or because a final written warning has already been given, the student will be invited to attend a Behaviour Panel Meeting.

The appropriate Head of Department and staff will conduct the investigation, which may involve speaking to witnesses, parents/guardians and employers/sponsors, and submit relevant supporting documentation to the Vice Principal within 5 days of the suspension.

A Behaviour Panel Meeting will then be arranged, if required, to make a decision based on the findings and meeting with the student, subject to the availability of the required staff.

The student will be given at least five days' written notice of the panel hearing and will be entitled to be accompanied by a friend, student representative or relative. The notice will state:

- i. The nature of behaviour and a summary of the evidence for the complaint

- ii. the student's entitlement to accompaniment (a friend, student representative or relative)
- iii. confirmation of the time and place of the panel hearing
- iv. that because of the nature of the misconduct alleged or because a final written warning has already been given, it may be recommended that the student may be expelled or formally suspended from the College as a result.

At the panel hearing, the Vice Principal will be accompanied by the Head of Student Services and an independent Head of Department. The Vice Principal will go through the allegations, which have led to the complaint. The student will be given the opportunity to state their case (including any mitigating factors) and asked to state whether the alleged facts are disputed and, if so, which facts these are. If material facts are disputed, the student will be asked to identify any source of evidence supporting his or her case.

If such a dispute is made the Vice Principal will adjourn the panel hearing for a future date within the next 14 days to allow relevant evidence (including from sources identified by the student) to be made available; this can include, where appropriate, any newly identified witnesses.

In the event of the Vice Principal deciding that the student's behaviour has been unacceptable, they can decide to recommend any of the following Behaviour measures:

1. Removal of access to specified College facilities
2. An oral warning notifying the student of the behaviour which is unacceptable, and the possible consequences of repeated unacceptable behaviours
3. A written warning notifying the student of the behaviour which is unacceptable, and the possible consequences of repeated unacceptable behaviours
4. A final written warning notifying the student of the behaviour which is unacceptable and the possible consequences of repeated unacceptable behaviours
5. Dismissal from the College

Within five days, the student will be given written notification of the outcome of the interview by the Vice Principal, stating the main findings of fact on which the decision is made.

If the decision is for permanent exclusion, the student will be given the details in writing and also the right to appeal. The Appeals Panel will be made aware of the decision.

It will be at the discretion of the Vice Principal to decide on how long the exclusion will be in place for.

Should the student wish to re-apply to the college after the expiry of the exclusion, this application will be considered. Part of any condition of offer will be references from prior departments of the college attended by the student.

The management of the College has the right not to re-enrol a student or an individual who has previously been dismissed from the College.

Excluded students should be directed to Student Services to arrange for a Careers Interview to take place.

Damage to Property

In addition to the sanctions outlined above, students who intentionally cause damage to college property will be required to pay in full the cost of any repairs. This will be considered a separate resolution to any further Behaviour action undertaken.

Suspension

Where appropriate a precautionary suspension may be imposed on a student by a member of the College Management Team – Course Manager and above. Suspension is a neutral action designed as a cooling off period and allowing for investigation into any and all allegations made against a student.

It is imperative that the Next of Kin is informed by telephone of any suspension, whether that is for a day or longer. Any such suspension will be confirmed in writing within 2 days of its occurrence and the student will be invited to an interview with the Head of Department, such interview to take place within 10 days of the suspension.

Where a student is suspended for the balance of a working day and the subsequent Behaviour action is suspension, this shall count as the first day.

Letters will be sent to the student, parent/guardian (if student is 18 or under), the employer (if sponsored/Apprentice), Personal Achievement Tutor / Personal & Professional Tutor/Training Coordinator and Head of Department.

The letter will contain

- A statement giving the reason for the suspension
- The procedures which will be followed during the investigations e.g. the student may be asked to produce a statement
- The way in which the outcome of the investigations will be conveyed e.g. at a meeting on a declared day or by telephone with confirmation in writing
- The student's right to support and advocacy throughout the process
- The right of appeal against any decision which may be taken

Investigation

Any investigation as part of the process should be completed in a reasonable timescale with reference to the nature of any allegation.

Where the behaviour is of a more serious nature or where similar behaviour has been repeated after an official or formal warning, the student will be invited to attend a Behaviour interview with the Head of Department; this will be done in writing giving five days' notice stating:

- (i) the nature of the behaviour and a summary of the evidence for the complaint
- (ii) the student's entitlement to accompaniment (a friend, student representative or relative)
- (iii) Confirmation of the time and place of the interview

After the interview, the Head of Department may decide to issue a final written warning or formal warning, or may decide that no Behaviour sanction would be appropriate. Practical measures to avoid recurrence may also be implemented. The student will be notified in writing of the decision within five days of the interview.

6. Appeals

The student will have a right of appeal against any recommendation for permanent expulsion or formal suspension. Notice of appeal must be logged within 10 days of the date of the recommendation for exclusion or suspension and must give the grounds and brief particulars of the appeal. The recommendation will not be considered until the expiry of the period for lodging the appeal.

If a notice of appeal is lodged within the time allowed, an appeal hearing with a panel consisting of the Principal (or his/her designated officer) and the Director of Student Services, will be arranged to take place within 21 days of the notice of appeal being lodged. The student will be given at least five days' notice of the time and place of the appeal interview and will be entitled to be accompanied by a friend, student representative or relative. A legal or other professional adviser will be allowed if the College intends to have an external adviser present. Any documents considered at the Behaviour interview will be available for the purpose of the appeal.

At the appeal interview, the student will be invited to explain the grounds of the appeal and state his or her case.

If the appeal is allowed, the Panel may decide that Behaviour action lesser than that recommended by the member of staff should be taken, including a shorter period of suspension. The Panel may also decide that no further Behaviour action should be taken.

If the appeal is dismissed, the recommendation of the member of staff will stand. The Panel may not impose any greater sanction against the student than that recommended by the Behaviour Hearing.

Within five days of the appeal interview, the final decision by the panel will be confirmed in writing to the student.

Any records of hearings or of Behaviour action taken against the student will be retained by the College under confidential cover and will not be provided to any third parties except where the College is required to comply with statutory and other legal provisions.

Behaviour decisions (as opposed to records of hearings) will be communicated to relevant College staff. Where the Behaviour decision has led to the imposition of a Behaviour measure, in the case of the removal of access to specific College facilities, a verbal warning, a written warning or a final written warning then the reason for that measure will also be shared.

7. Record Keeping

All records will be kept on ProMonitor / One File.

The Student Services Administrator will monitor Final Written Warnings and these will be flagged on the appropriate College systems.

Students excluded will also have their records flagged.

Annex A: Higher Education

HE Academic Misconduct

The purpose of this Policy is to ensure that Higher Education Students studying directly with the College (Pearson Higher Nationals and UON Engineering and Computing Programmes) have adequate guidance surrounding the importance of academic integrity and that cases of misconduct are handled by the procedure below. Students on Higher Education programmes that are franchised should follow the processes of the University available through Quality.

Definitions of Academic Misconduct.

Academic misconduct is defined as an attempt by a student either exam or coursework based where they seek to attempt to gain unfair advantage in these assessment methods or to assist another student to do so.

Examples below are not exhaustive:

- Cheating behaviour – acting in a dishonest way to gain academic advantage.
- Collusion - creating or being part of an agreement to act together to cheat to gain academic advantage.
- Fabrication - making up evidence data to aid your research discussions or providing misleading references within your work.
- Impersonation – using another student’s piece of work with the intent of using this as your own work to gain academic advantage.
- Plagiarism – Using documents or other students work and submitting this as your own work intentionally.
- Duplication – submitting prior work that has already been used within assessment.

In addition, examples of Academic misconduct in examinations includes the following:

- Attempting to use notes or unauthorised exam materials within an Exam.
- Obtaining a copy of an unseen examination paper.
- Attempting to remove documentation from the examination room that is not authorised.
- Unauthorised use of a calculator

Procedure

Step 1

A member of staff suspects that there has been academic dishonesty. The staff member who suspects dishonesty must collect documentary evidence for their suspicions (i.e., Turn it in report). The documentary evidence should be supported with evidence. Where there is evidence of dishonesty from the report the marking tutor and another member of staff should carry out a VIVA with the student to confirm their accusation which should be documented.

Step 2

The student should be notified that they are suspected of academic misconduct and that a formal investigation has now begun. The student should be told and supplied with the evidence that has been gathered and that will be investigated.

At each stage of this process the student is entitled to have a representative attend also.

If the student declares and acknowledges that they have committed academic misconduct. The case will still need to follow these steps below.

The Course Manager should record this in ProMonitor.

Step 3

The Course Manager notifies the Exam Board Chair that academic misconduct is being investigated and that the student’s grades received at the Boards are subject to this investigation.

Step 4

The Course Manager to supply documentation to the Group Head of Quality who will appoint an investigating officer to manage the Academic Misconduct case.

Step 5

Investigating Officer carries out their review of the documentation and can further interview the student where they deem necessary. If the student does not arrive at the meeting the meeting can go ahead, and a final decision made.

Step 6

The investigating officer should hold a further meeting with the Group Director of Quality and Vice Principal of Higher Education where any formal sanction needs to be applied in line with awarding body guidelines.

Student will be notified of outcome and the above appeals process is used by the student if necessary.

The Group Head of Quality to inform the Chair of the Exam Board of the outcome of the investigation and the Chair of the Exam Board will action the requirement. There should be no further discussion on the outcome of the student's sanction.