

Managing Student Behaviour and Performance Policy



The purpose of this policy is to:

- Set out and maintain expectations and responsibilities of student behaviour and conduct;
- Enable staff to safeguard and promote the welfare of students;
- Encourage a culture which makes our College a safe and respectful place in which to learn.

Who does this policy apply to?

This policy applies to all students studying on any course at any level.

Policy Statement

The college expects students to take responsibility for their learning and actions, and behave in a mature and appropriate manner at all times while on college grounds or involved in college activities on or off site.

The need for disciplinary action is kept to a minimum by ensuring that students are made fully aware of their responsibilities. However, where concerns arise, appropriate actions and support will be put in place.

It is important to be aware that we operate a zero tolerance policy for the following behaviours. We will take immediate action should any student be found to have engaged in any of these actions. In serious cases this could lead to temporary or permanent exclusion:

- Bullying or harassment, whether this is in person or using any form of communication including social media
- Any form of discrimination, including making racist, sexist, homophobic or other derogatory comments
- Any actions in opposition to British Values; including democracy, the rule of law, individual liberty, mutual respect and tolerance of different faiths and beliefs
- Putting anyone at risk, whether this is physically, verbally, sexually, emotionally or refusing to wear visible college ID
- Plagiarising, copying others' work or cheating
- Possession of alcohol, drugs paraphernalia, psychoactive substances, illegal drugs or controlled drugs (unless medically prescribed). Being under the influence of alcohol. Being under the influence of psychoactive substances, illegal drugs or controlled drugs (unless medically prescribed)
- Vandalising or engaging in any criminal behaviour.

It is recognised that some students may have specific support needs that may require an individual approach to be taken to the application of this policy. This will be assessed on an individual basis and may apply for example, to some students within foundation learning, and or students with specific learning needs.

Why we need this policy / background information

All students should be made aware of their responsibilities and the college's expectations of them as part of their induction, through discussion of:

- College Values
- College Code
- Prevent including British Values and risk of radicalisation

Roles and responsibilities

All Staff

All members of college staff are required to challenge inappropriate behaviour e.g. behaviour in corridors, cafeteria, smoking in undesignated areas and not wearing of college ID. More serious misconduct, necessitating formal action, should be reported to the Directorate in which the student has enrolled. If the incident is serious or is in danger of escalating, then Security should be called to attend immediately. Non- teaching staff should raise the concern via ProMonitor with appropriate teaching staff within the student's area of study (support staff who do not have pro-monitor access need to refer the concern directly by phone/email to the curriculum area).

All formal proceedings should be addressed within the Directorate and must be recorded centrally on ProMonitor. All details of students recommended for exclusion are retained by the office of the Vice Principal Curriculum.

Where a student's behaviour is not satisfactory, it is the responsibility of the individual member of staff to identify at what stage the procedure should be applied.*

If external factors beyond the student's control are considered a potential cause for misconduct, the fitness to study protocols should be considered.

Concerns should be shared with parents/carers and employers, as and when appropriate in accordance with GDPR guidelines.

The table below sets out the stages of the procedure and outlines the person responsible at each stage.

* Students may not administer sanctions against other students except as allowed for within the Students' Union Constitution.

Managing Behaviour and Performance - A Summary of Formal Procedures

Examples (not exhaustive)	Cause for Concern	Stage 1 (Misconduct)	Stage 2 (Serious Misconduct)	Stage 3 (Gross Misconduct)
	<ul style="list-style-type: none"> Poor behaviour Unsatisfactory standards of work Unsatisfactory attendance and/or punctuality Inappropriate use of mobile phones or other technologies Failure to meet assessment deadlines Smoking in non-designated (including E- cigarettes) areas on site 	<ul style="list-style-type: none"> General unsatisfactory and thoughtless behaviour / disruption Acting irresponsibly and putting self or others at risk Consistent failure to complete or hand in work on time Repeated poor attendance and/or punctuality Consistent and inappropriate use of mobile phones or other electronic devices, i.e. mobile phones in teaching areas Failure to wear college ID Copying of work (a couple of sentences from a book or a small sections downloaded from the internet) Failure to comply with college procedures. Repeatedly smoking (including E- cigarettes) in non-designated areas on site 	<ul style="list-style-type: none"> Repeated general misconduct and thoughtless behaviour Failure to complete course work or major assignments Refusing to wear college ID/disclose their identity when reasonably requested for it or giving incorrect information Swearing or verbal abuse directed at students or staff Failure to comply with Health and Safety regulations including repeated smoking and spitting Inappropriate use of internet or other College system Failure to pay fees Direct copying of other students' work for assessment. Repeated failure to comply with College procedures. 	<ul style="list-style-type: none"> Repeated misconduct Plagiarism or copying large sections from publications and / or other student's work and submitting it for assessment Serious breaches of Health and Safety regulations including damaging equipment and driving recklessly on or around College grounds Physical abuse or threat of physical abuse Harassment or discriminatory behaviour Promoting or engaging in extremist behaviour/activity Bullying and victimisation Carrying offensive weapons Criminal activity including theft, drugs, alcohol, violence or fraud Serious misuse of internet or other college systems The unauthorised taking or publishing of audiovisual images of students or staff and the posting of such images using internet technologies without their permission Failure to pay fees (where financial planning strategies are not being met)
Person responsible for issuing	Any member of staff	Any member of delivery staff to issue a Stage 1 disciplinary via comments feature in ProMonitor	Any member of delivery staff to issue a Stage 2 disciplinary via comments feature in ProMonitor	Any member of delivery staff to recommend a Stage 3 disciplinary which will be issued by the Director of Learning via comments feature in ProMonitor and telephone contact Director of Learning or Director of Apprenticeships
Person(s) conducting/ attending the meeting	Not applicable	<ul style="list-style-type: none"> Academic Tutor/PDT/Apprenticeship Assessor/Subject tutor Student (with supporting person) Member of the Student Experience team where appropriate 	<ul style="list-style-type: none"> Learning Manager/Apprenticeship Manager Academic Tutor/PDT/Subject tutor (where possible/appropriate) Student (with supporting person) Parent/carer/employer where appropriate Member of the Student Experience team where appropriate 	<ul style="list-style-type: none"> Director of Learning/Director of Apprenticeships (or their deputy) Appropriate Learning Manager and/or Academic Tutor/PDT (where possible/appropriate) Student (with supporting person) Parent/carer/employer where appropriate Member of the Student Experience team where appropriate
Action	<ul style="list-style-type: none"> Record on ProMonitor using comments feature as cause for concern and set CSMART targets as appropriate (FAO: Academic Tutor/PDT/Apprenticeship Assessor) Set review date (if required) Parental/carer/employer contact (if required) FAO Student Experience team if applicable 	<ul style="list-style-type: none"> Record Stage 1 meeting on ProMonitor (FAO: all relevant staff including Learning Manager) Set CSMART Targets as appropriate Set review date Parental/carer/employer contact (if appropriate) FAO Student Experience team if applicable 	<ul style="list-style-type: none"> Record Stage 2 meeting on ProMonitor (FAO: All relevant staff, including Director of Learning /Director of Apprenticeships) Set CSMART Targets as appropriate Set review date Send written warning Parental/carer/employer contact (if appropriate) FAO Student Experience team if applicable 	<ul style="list-style-type: none"> Temporary Exclusion (if required) PREVENT Referral (if required) Record Stage 3 meeting on ProMonitor (FAO: All relevant staff) Set review date Send written warning Recommendation for permanent exclusion (if required) Parental/carer/employer contact (if appropriate) FAO Student Experience team if applicable
Next stage	Referral to Stage 1 for persistent, repeated cause for concern	Referral to Stage 2 for persistent, repeated misconduct	Referral to Stage 3 for persistent, repeated serious misconduct	Referral to Stage 4 for persistent, repeated gross misconduct
	REVIEW (1-4 WEEKS)	REVIEW (1-4 WEEKS)	REVIEW (1-4 WEEKS)	REVIEW (1-4 WEEKS)

Stage 4 – If at Stage 3 it is recommended a student be permanently excluded then this will be referred to the Exclusion Panel Chaired by the Assistant Principal or Vice Principal Curriculum. A student may appeal the outcome of Stage 4 to the Principal.

Gross misconduct

In the event of gross misconduct the Learning Manager or Apprenticeships Manager will initiate Stage 3 disciplinary procedures, i.e. a Stage 3 Disciplinary Hearing and record on ProMonitor. In the event of alleged gross misconduct the Learning Manager (with approval from the Director of Learning or Director of Apprenticeships) can authorise a temporary suspension (see note below on exclusion) of up to 7 working days. A Director will convene a Stage 3 Disciplinary Hearing and will either:

- Issue a written warning
- Issue a final written warning
- Authorise a temporary exclusion (max 10 working days)
- Or recommend that the student is permanently excluded.

Exclusion

In the event of a student being recommended for exclusion, the Vice Principal Curriculum or Assistant Principal Curriculum will convene a stage 4 exclusion panel and may either:

- Issue a permanent exclusion
- Issue a written or final written warning or
- Issue an appropriate sanction.

Disciplinary Hearings, Exclusion Panels and Appeals

Evidence must be provided to the Chair of the panel, 5 days prior to the disciplinary hearing.

At any disciplinary hearing, exclusion panel or appeal, the Chair will open proceedings by introducing those present, explaining their roles. The Chair will then explain the procedure and state the possible outcomes.

The case against a student will then be made by the appropriate directorate staff member.

The student, supported by an appropriate person if requested, will then state their case outlining the issues from their perspective.

The Chair will then take questions in turn from the curriculum staff and the student or their representative. When all relevant issues have been explored the Chair will ask for any final comments from the panel, the student and their representatives and any others present.

The Chair will close the hearing and inform the student that a decision will be taken shortly and that they will be notified in writing within 5 working days.

Appeals

A student may appeal the decision of the Exclusion Panel (Stage 4). Appeals should be sent in writing to the Principal within 5 working days of the student being informed of the outcome of the panel. The following grounds for appeal are permitted;

- The college failed to follow procedure
- New evidence has come to light
- The student believes that the outcome is discriminatory

At the appeal stage the Principal's decision is final.

Appeals for Higher Education Students

Following the above appeal process, any Higher Education students who are still unhappy with the outcome, may write to The Office of the Independent Adjudicator for Higher Education (OIA).

The Office of the Independent Adjudicator for Higher Education (OIA) runs an independent scheme to review student complaints. Bournemouth and Poole College is a member of this scheme. If an HE student is unhappy with the outcome of a complaint, they may be able to ask the OIA to review the complaint. There is more information about making a complaint to the OIA here: <https://www.oiahe.org.uk/students>

Liaison with external agencies

If after investigation the behaviour is deemed as serious criminal behaviour or activity (i.e. theft, racism, and homophobia, physical or verbal abuse, threats of radicalisation or violent/non- violent acts of extremism) then the investigation may be passed over to the Police and/or other appropriate external agencies.

Links to college values and other college policies

This policy should be used in conjunction with the following policies and procedures:

- Safeguarding & Child Protection Policy
- Equality and Diversity Policy
- Health and Safety Policy
- Bournemouth and Poole College Mission, Vision and Values
- Data Protection Policy
- Acceptable Use of IT Policy
- Fitness to Study Policy
- Drugs, Alcohol and Weapons Policy
- Student Anti Bullying and Harassment Guidelines

Who needs to understand this policy and how will they know about it?

The following training and awareness will be put in place:

Who?	How?
Students, parents/carers	Available on the college website Included in inductions Included in Student handbook
College managers	Included in team brief and available on mybpc Included in all staff inductions
All teaching staff	Included in team brief and available on mybpc Included in all staff inductions
Business Support staff who interact with students	Included in team brief and available on mybpc Included in all staff inductions

Process / Procedures

Suspension

In dealing with allegations of gross misconduct, suspension may be used to remove a student or students from a potentially difficult or dangerous situation while an investigation is carried out. Students can only be suspended by a member of the college Senior Leadership Team.

Key Stage 4

Suspension of students enrolled on Key Stage 4 should be authorised by the relevant Director or member of the Senior Leadership Team. The Pre-16 Co-ordinator should be informed at this point and will contact the school.

Apprentices

For Apprentices, suspension will be authorised by the Director of Apprenticeships or a member of the college Senior Leadership Team. Employers should be informed of suspensions in line with GDPR.

Students under 18 and Vulnerable Adults

In order to ensure that all necessary child protection obligations are met, no student under the age of 18 or considered to be a vulnerable adult, can be suspended and removed from premises without first contacting a parent or carer.

Looked After children and students with an EHCP

The local authority must be contacted by a member of the student experience team, if a student who is Looked After or has an EHCP is suspended.

Educational Visits and Off-Site Activities

In the event that disciplinary action is required whilst on an educational visit, the named leader or senior member of staff shall make a discretionary decision regarding the most appropriate immediate course of action, taking into account the principles of this procedure. This must be followed up on return to college with an appropriate ProMonitor record.

Fitness to Study

The college is committed to the support of students' health and well-being and recognises the importance of this in relation to their academic progress and achievement. The wellbeing and fitness to study procedure is a supportive approach which can be used by staff when students are unable to meet course requirements in terms of attendance, participation in class or completion of work due to aspects of the students' personal life such as caring responsibilities, medical conditions or mental health difficulties.

The college recognises that there may be times when students are unable to recognise that they are placing unreasonable demands on staff, negatively influencing the learning of other students or endangering themselves or others. In some instances it will be more appropriate for staff to address concerns related to fitness to study as opposed to a disciplinary approach.

Drugs and Alcohol

Every allegation that is made under this policy will result in a pre-discussion between the department DOL and the Vice Principal, Assistant Principal or Director of Student Experience to agree the suitable disciplinary stage that the allegation will be initially investigated under. This will be either at stage 3 or stage 4.

Formal Procedure - Principles

Recorded

All aspects of students' behaviour interventions will be recorded on the student's personal record on ProMonitor.

The following information relates to the period of time that the college shall retain information on students who have been referred as part of this process. It is the responsibility of the Chair of meetings to notify Information Services in the event of permanent exclusion.

Outcome	Minimum Duration	Notes
Disciplinary meeting Written warning	College Programme(s) Duration	
Final Written Warning / Temporary Exclusion	2 Years	May be referred to in any application that the student may make to the college for any future course of study.
Permanent Exclusion	5 Years	A block on applications from excluded students is placed on the college Management Information System. Excluded students may, after writing to and meeting with the Vice Principal Curriculum, be permitted to apply for a further course in the college. Such permission will be at the discretion of the Vice Principal– Curriculum.

Confidentiality

Some aspects of discussions may be confidential or inappropriate to share amongst a wider audience. The person completing the records on ProMonitor should be sensitive to this and only include information as appropriate, or retain a separate record of confidential discussions.

Action-planned

In all cases, the disciplinary meeting should identify the action that is required by the student to reach the agreed target(s) for improvement.

Additional Support

Staff should always consider a student's needs in terms of their mental health, Special Education Needs, Educational Health Care Plans or Looked After status to determine whether any additional support that may be required to aid the student's progress.

Reviewed

All disciplinary meetings must be reviewed to ensure achievement of the target(s). This should be between 1-4 weeks as appropriate with a follow up review if necessary.

Supportive

The disciplinary process is intended to identify what the college can do to support the student in improving their conduct/attitude.

Representation

Students should be offered the opportunity to bring a representative to any meeting. This could be a family member, friend, a member of the Student Experience team.

Failure to attend a meeting

If a student has had reasonable written notification of the need to attend a meeting but fails to do so, it is at the discretion of the Chair whether the meeting will proceed without the student being present and sanctions imposed in their absence.

Bournemouth and Poole College Date September 2018 Function Equal Opportunities
This policy has been examined for equality impact i.e. the impact that this policy will have on different groups of current or potential learners, service users and staff taking into account the protected characteristics of the Equality Act 2010 (age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sexual orientation)
1. If equality impact analysis is not relevant to this function give reasons and proceed to section 5 below
2. In what ways could this function have a negative impact on any of the groups above? What actions have been taken to eliminate these? Behaviour is not managed consistently. Clear guidelines and expectations have been set to avoid inconsistencies. Mitigation and support mechanisms are provided for learners with learning difficulties including the fitness to study policy.
3. In what ways could this function have a positive impact on any of the groups above? How will this function be used to eliminate discrimination, advance equality of opportunity and foster good relations between different groups? Are there plans for the future which will further advance equality? This policy ensures that clear behaviour expectations are clear to all students and the behaviour which does not comply with these expectations will be challenged.
4. What evidence supports your judgements? E.g. Consultations, observations, expert opinions, quantitative or qualitative surveys? If the evidence is in the form of an additional document, where is it stored? Policy updated by the Quality Department including the lead for E&D and the Student Experience Directorate. Reviewed by the policy review group.
5. Name and job title of manager responsible Quality Department

Policy approved by: SLT

Date: May 2020

This policy will be reviewed in: 3 years