



Brockenhurst College

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# **BEHAVIOUR AND LEARNER DISCIPLINARY POLICY**

## Introduction

Brockenhurst College's educational aim is to provide all of its learners with an environment that will help them make the most of their lives through learning. An important aspect of this development includes the learner taking an active part in managing their own academic development as well as their health and wellbeing so that they can achieve their potential.

Where issues occur, these will generally fall into two distinct categories:

- Academic issues, such as poor academic performance or attendance
- Behavioural or attitudinal issues, such as behaviours for learning or breaching the College Code of Conduct.

The College Behaviour and Learner Disciplinary Policy is designed to support both categories of issue, although there might be differences between the two. The College adopts a trauma-informed approach to managing and supporting its learners.

It is recognised that learners with Special Educational Needs and Disabilities (SEND) may need an approach that recognises their specific needs. Staff will need to be aware of any special considerations with regard to communication difficulties and equal opportunities. It is the role of the Pastoral and Welfare Manager and Learning and Disabilities Coordinator to offer advice to staff as required.

The College is very clear about its expectations of all learners. Learners acknowledge the Code of Conduct at enrolment. The College expects its learners:

- To punctually attend all timetabled or registered sessions, fully prepared. Where absence occurs, to report it accordingly
- To courteously explain why, should lateness occur. It is not College policy to refuse learners access to lessons on the grounds of poor punctuality. However, on occasion it is accepted that the staff member may wish to use discretion in this matter. If this should occur on the main campus, the learner is expected to report to Student Services where they will be seen by the Pastoral and Welfare Manager.
- To demonstrate excellent behaviours for learning and mutual tolerance and respect for other learners
- To communicate effectively with staff members to ensure that the correct support is in place where necessary to drive rates of progress
- To meet deadlines and proactively address any missed learning
- To develop moral, cultural and self-awareness as part of their learning programmes.
- To develop good employability skills as part of their learning programmes.

Should academic issues start to arise, the College will aim to implement a Learner Support Plan. This may be appropriate across more than one subject/teacher:

- It provides an informal intervention (in a supportive manner) to develop a resolution to the situation
- It informs the learner of the required improvement and communicates this action plan to parents/carers (where learner is under 19)
- It provides further opportunity to facilitate and drive academic success and wider support
- It safeguards the property and business of the College and the health and safety of all learners, staff and visitors.

In addition to isolated incidents of dissatisfactory behaviour that are subject to the Suspension Tariff (where necessary), it may be appropriate to trigger a formal disciplinary process.

## **Stages of Disciplinary Procedures**

### **Stage 1 Hearing:**

In cases of serious misconduct or where informal support has not been effective, the College may continue to use an informal process in addition to, or alongside, the formal stages of disciplinary action depending on circumstance.

- If a learner's behaviour or performance does not meet acceptable standards their teacher/lecturer/assessor/Student Support Manager (as directed by the Head of Curriculum) will normally arrange to meet with the learner to discuss the required improvement and any support needed
- The learner will be informed of the improvement required and the timescale – typically a minimum of two weeks agreed

Potential outcome(s):

- Successful intervention praised and closure of Learner Support Plan
- Learner Support Plan timescale extended
- Escalation to Stage 2
- The learner may be given a formal Stage 1 Formal Written Warning letter
- Suspension in line with the College Suspension Tariff

### **Stage 2 Hearing:**

If there is a more serious cause for concern or if a learner fails to respond positively to Stage 1 the student, with parents/carers are invited to a meeting with the Student Support Manager and the Head of Curriculum. The relevant Assistant Principal may also attend

- If appropriate, review Stage 1 intervention and agree actions accordingly

Potential outcome(s):

- Successful intervention praised and closure of Learner Support Plan
- Learner Support Plan timescale extended/reviewed
- Escalation to Stage 3
- This may lead to a Stage 2 Formal Written Warning letter, where a summary of the meeting outcome(s) is acknowledged
- Suspension in line with the College Suspension Tariff

### **Stage 3 Hearing**

If there is a serious incident or if a learner fails to respond positively to Stage 2, the student and their parents/carers are invited to a meeting with a member of the Senior Management Team. The Student Support Manager or Head of Curriculum will present information regarding the issue and concerns and the parents/carers may provide responses.

If a Final Formal Written Warning letter is issued and the terms of the warning are not adhered to, there may be a further Stage 3 Hearing. The outcome of which may be to permanently exclude or withdraw from course. This may include the Vice Principal.  
Potential outcome(s):

- Successful intervention praised
- This may lead to a Final Warning letter summarising the outcome(s), or permanent exclusion or withdrawal from course
- Permanent exclusion/withdrawal from programme

Appeal:

Students have a right of appeal against a decision when instructed to leave the College. Appeals will be reviewed by the Vice Principal – Curriculum and Quality.

NB. It is possible that a student enters the disciplinary process at different stages due to the severity of the issue/intervention or historical profiles.

All readers should be aware of the following related College policies which may be invoked if issues occur related to behaviour or attitude.

- Learner Code of Conduct
- Fitness to Study Policy
- Learner Search Policy
- Learner Restraint Policy
- Plagiarism Policy
- Suspension Tariff

The College reserves the right to investigate incidents that occur off-site if they are deemed as bringing the College into disrepute. It also reserves the right to take disciplinary action against learners for incidents not directly related to College that could be considered to put other learners or staff at risk, or brings the College in to disrepute e.g. allegations of assault or involvement in illegal drugs. This also includes activities that might be conducted online. Furthermore, the College's online filtering system identifies websites that are cause for concern and students may be challenged on their reason for attempting to access these.

Should a learner be in breach of the Code of Conduct then it might be deemed that a learner should immediately progress directly to a higher stage depending on the nature of the disciplinary issue. Consequences are outlined in the College's Suspension Tariff (Appendix 2). This is not exhaustive and the College reserves the right to apply what is considers suitable sanctions accordingly and may not be prescriptive to the Suspension Tariff.

### **Suspensions and serious incidents.**

In cases of misconduct or any other incident that contravenes the College Code of Conduct, a learner may be suspended from College for a finite period of time (see Appendix 1 and 2). This may happen either at the time of the incident or following a disciplinary hearing, depending on the nature of incident. The duration of the suspension will be at the discretion of the manager dealing with the incident.

Examples of incidents which might lead to a learner being suspended can be found in the Suspension Tariff (Appendix 2).

A learner may immediately be suspended indefinitely pending investigation. During a period of suspension, the learner is not permitted on the College premises unless invited. A member of the Senior Management Team (other than the Vice/Principal) will normally conduct this investigation and following this; the learner may have their place at college reinstated at a disciplinary hearing, or be excluded on a permanent basis. Parents/carers may be invited to a hearing. Any decision following a hearing will be communicated to the learner and parent/carer in writing.

In all cases a written account of the reasons for suspension will be made and formal confirmation of the suspension will be sent to the learner (and if under 19 - the parent, carer, guardian, host family, employer).

Should the decision be made to permanently exclude, this will be confirmed in writing to the parent, carer, guardian, host family, employer if the learner is under 19, or directly to the learner if over 19. The learner will be given a right of appeal to the Vice Principal - Curriculum and Quality, except in cases detailed below. Details of which will be found in the letter confirming withdrawal. The Vice/Principal's decision in these matters is final and there is no further means of appeal.

Situations where no right of appeal will apply:

- Exclusions regarding criminal activity or dangerous behaviour where it is deemed unsuitable for the learner to return to the College in the interests of the safety of others or the reputation of the College.
- Exclusions where the safeguarding of the individual or others is at risk or the College is unable to guarantee the safety of the individual or others due to the behaviours exhibited.

## **Appendix 1 - Examples of misconduct and behaviours contrary the Learner Code of Conduct.**

Guidance on categories of misconduct/behaviours supplementary/addition to the learner Code of Conduct. In all cases it is at the discretion of the manager dealing with the issue to assess the severity of the concern/incident.

### **Minor Misconduct – Stage 1 or 2**

This may include disruptive behaviour or behaviour that causes a disturbance or nuisance to others. The following examples are for illustration only. The list is not prescriptive or exhaustive. It may be appropriate to implement a Learner Support Plan.

- Repeated inappropriate use of mobile phones in classes or the Learning and Resource Centre (LRC)
- Failure to wear lanyard and/or have identification visible
- Non-compliance with rules and regulations regarding study areas
- Addressing staff or fellow learners in an impolite, inappropriate or offensive manner
- Poor attendance and/or punctuality and/or unauthorised attendance
- Misuse or unauthorised use of College facilities or property (this could also be serious misconduct, depending on the offence)
- Obstruction or disruption of College processes and procedures
- Failure to follow a reasonable instruction from a member of staff
- Failure to meet expectations outlined in Learner Support Plan

### **Serious Misconduct – Stage 2 or 3**

Serious misconduct may include an escalation of incidents related to minor misconduct. The following examples are for illustration only – the list is not prescriptive or exhaustive.

- Unsafe behaviour
- Unpleasantness to others
- Unintentional damage or defacement of College property or the property of other members of the College community as a result of inconsiderate behaviour
- Plagiarism – please refer to the College's Plagiarism Policy
- Defiance – this may also include repeated refusal to attend aspects of a study programme or wearing college identification
- Smoking or vaping in undesignated areas
- Alcohol related incidents
- Repeated breach of Student Code of Conduct
- Non-compliance with penalties imposed for minor misconduct
- Failure to comply with College policies or procedures
- Repeat of incident previously addressed during Stage 1 of Learner Behaviour and Disciplinary Policy/procedure

### **Gross Misconduct – Stage 3**

Gross misconduct is behaviour which calls into question a learner's status as a learner of the College. The following examples of gross misconduct are for illustration only – the list is not prescriptive or exhaustive:

- Dealing, possession or using illegal substances/paraphernalia or alcohol
- Dangerous, criminal or illegal behaviour

- Physical assault or aggression towards a member of staff or a learner
- Any form of (including online) victimisation, harassment, abuse, discrimination or bullying
- Use or threatening to use a weapon
- Carrying of items or actions that could endanger the safety of others
- Racial hatred or abusive behaviour
- Fraud, deceit or dishonesty in relation to the College or its staff, including false/malicious allegations
- Theft of college property
- Non-compliance with penalties imposed for serious misconduct
- Repeated non-compliance with the College's Code of Conduct
- Child-on-child abuse
- Vandalism/damage to College premises or property
- Bringing the College into disrepute
- Repeat of incident previously addressed during Stage 2 of Learner Behaviour and Disciplinary Policy/procedure

## Appendix 2 - Suspension Tariff

This tariff should be used in conjunction with the Behaviour and Learner Discipline Policy and managers must ensure they are following the procedures outlined in this policy.

Number of days' suspension should be used as a guide. Actual days of suspension is at the discretion of the manager dealing with the issue. This should not exceed 5 days, unless agreed with a member of the Senior Management Team.

NB. The number of days stated is for initial suspension only, pending any investigation. It may be deemed to increase this or make indefinite.

<b><u>GROSS MISCONDUCT</u></b>	<b><u>OFFENCE</u></b>	<b><u>NO. OF DAYS SUSPENSION</u></b>
<b>Use of Illegal Substances</b>	Dealing of drugs on or outside of campus	Indefinite
	In possession of drugs and paraphernalia	2 days to Indefinite
	Being under the influence or suspected of being under the influence of drugs whilst on or around the College campus or smoking/taking of an illegal substance (including legal highs) in College or in the local vicinity	2 days to indefinite
<b>Dangerous behaviour</b>	Physical aggression/assault/attack on member of staff	Indefinite
	Physical aggression/assault/attack on another student	2 days to Indefinite
	Swearing/aggressive/inappropriate behaviour towards staff	2 days to Indefinite
	Carrying/use of a weapon or any item that may endanger the safety of others	Indefinite
	Dangerous driving on campus/local vicinity	Up to 5 days
<b>Equality and Diversity</b>	Any form of/online victimisation, harassment, abuse, discrimination or bullying based on the 9 protected characteristics (listed below) must be reported to an Assistant Principal. <ul style="list-style-type: none"> <li>• sex/sexual</li> <li>• pregnancy</li> <li>• sexual orientation</li> <li>• religion or belief</li> <li>• age</li> <li>• disability</li> <li>• gender reassignment</li> <li>• marriage or civil partnership</li> <li>• race</li> </ul>	Up to 5 days
<b>Criminal issues</b>	Theft	3
	Vandalism	3
	Fraud, deceit in relation to College or staff	3
<b>Safeguarding</b>	Youth produced sexual imagery (sexting)	Indefinite
	Child on child abuse (as in Child Protection Safeguarding Policy)/bullying	3 to indefinite



	Bring the College into disrepute (eg. inappropriate behaviour whilst representing the College, or during travel to and from College)	3 - indefinite
<b>SERIOUS MISCONDUCT</b>		
<b>Smoking or vaping</b>	Smoking or vaping in the classroom or in College buildings	2
	Smoking or vaping on College campus outside of the designated area	1
<b>Alcohol related</b>		
	Under influence of/drinking alcohol on campus/during educational visit	2
<b>Unsafe/behaviour</b>		
	Misbehaviour in workshops/practical scenario	2
	Repeated failure to have student ID visible	1