



100+ YEARS
TEACHING EXCELLENCE

**POSITIVE BEHAVIOUR Policy
& DISCIPLINARY PROCEDURES (Students)**

September 2023

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STRATEGY, POLICY AND PROCEDURE - 09

1. Policy Statement/Purpose/Introduction

Oaklands expects the best for and from its students and will endeavor to put in place all necessary support to promote positive outcomes. This includes a rigorous monitoring of performance, behaviours, attitudes, and attendance, which we believe are imperative to support our students to achieve their full potential.

Oaklands College is committed to creating an environment where exemplary behaviour is at the heart of productive learning. Everyone is expected to maintain the highest standards of personal conduct, to accept responsibility for their behaviour and encourage others to do the same.

The College is committed to providing **consistency** in terms of expectations of behaviour and attitudes of students and application of any sanctions.

Messages relating to expectations of attendance, behaviour and attitudes will be **clearly** communicated.

Students can make informed **choices** relating to their behaviour and attitudes, understanding any sanctions where a breach of expectations is made.

2. Strategic Plan Objective and Themes Links

1.1 Outstanding Teaching and Learning

3. Scope of this policy

2.1 All students and all staff for implementation

4. Monitoring Impact

3.1 Reporting through Student Experience reporting to SMT / Governors

5. Policy title

POSITIVE BEHAVIOUR Policy & DISCIPLINARY PROCEDURES (Students)

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1. Context

Oaklands expects the best for and from its students and will endeavour to put in place all necessary support to promote positive outcomes. This includes a rigorous monitoring of performance, behaviours, attitudes, and attendance, which we believe are imperative to support our students to achieve their full potential.

Oaklands College is committed to creating an environment where exemplary behaviour is at the heart of productive learning. Everyone is expected to maintain the highest standards of personal conduct, to accept responsibility for their behaviour and encourage others to do the same.

The College expects that no person in the scope of this policy and procedure receives less favourable treatment, either directly or indirectly, on the grounds of age, disability, gender, gender reassignment, marriage or civil partnership, pregnancy or maternity, race, religion or belief, sex or sexual orientation.

The College promotes positive behaviours through a clear and consistent guidance and boundaries. The Behaviour policy and procedure outlines our approach in respect of any student or apprentice who requires support to achieve the colleges expectations and fully engage with their chosen learning programme. The College is committed to celebrating positive behaviours through curriculum departments.

The College is determined to provide a safe, respectful, and caring environment where any form of bullying or harassment is not tolerated, differences are celebrated, and all students feel valued and are treated with dignity and respect. The College takes all allegations of bullying or harassment seriously and provides support to any student who feels they are being bullied or harassed. All allegations will be thoroughly investigated, and any concerns addressed.

Consistency, clarity, choice

The College is committed to providing consistency in terms of expectations of behaviour and attitudes of students and application of any sanctions.

Messages relating to expectations of attendance, behaviour and attitudes will be clearly communicated.

Students can make informed choices relating to their behaviour and attitudes, understanding any sanctions where a breach of expectations is made.

1.1 Oaklands College aims to provide a supportive behaviour management policy that enables students and apprentices through a staged series of interventions. This to ensure that timely support is put in place when necessary.

1.2 Where a student or apprentice has fallen behind with their programme or breached expected behaviours, sanctions may be imposed as part of the process to promote positive outcomes,

This also applies to any concern relating to the behaviour of students in residential accommodation.

1.3 If any concerns relating to a student's behaviour are identified as a safeguarding issue (whether in person on site or online), the safeguarding team will take the necessary action as per the safeguarding policy, which can be found on the intranet.

1.4 Students are placed on the appropriate stage depending on the seriousness of the concern.

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1.5 Students being supported through the process have the right to be accompanied by their parent or carer (if under the age of 18).

1.6 When there is a concern regarding an Apprentice, the Employer will also be informed.

1.7 Meetings must be held at a mutually convenient time and place. If a student fails to attend, it will be at the chair's discretion whether the meeting takes place in their absence or is rescheduled. Any meeting can only be rescheduled once.

1.8 All records of cause for concerns and support will be documented on the student's Individual Learning Plan (ILP) and details of all aspects of interventions will be recorded. Behaviour Agreements will be agreed, documented, and monitored via student's ILP.

Any concern relating to behaviour must include an action plan and a schedule for review. This should happen at every stage of the behaviour / disciplinary process.

1.9 This Policy and Procedure may apply if the student has behaved in such a way, outside of normal college hours, which may impact on the experience or safety of other students in the college.

It is essential that, wherever possible and appropriate, adults in College have the necessary information and understanding of the context around specific students and behavioural issues that may be presented. It is the responsibility of all staff in the College to be aware of any specific plans, agreements and strategies that may need to be implemented to help support Students who have suffered trauma and Adverse Childhood Experiences (ACEs). Early intervention can help to decrease the chances that young people will enter the crisis phase, leading to a quicker recovery and therefore restoration to a lower, more manageable level of stress or anxiety.

A trauma informed/relational approach requires emotionally regulated and always available adults who can provide essential calming of the students in their care, which will ultimately allow them to re-set and restore/ rebuild / re-engage in learning once their emotional and mental state allows them to do so. This approach looks to protect and safeguard other Students from the destabilising effects certain behaviours may have within the learning environment. We do not operate a 'one size fits all' approach to challenging behaviour. Instead, we apply the theory of a case-by-case approach that takes into consideration the individual circumstances and context of Students in our care, while maintaining high standards and expectations. In all cases, the balance of the individual's needs and circumstances with the overall safety and safeguarding of all members of the College is made.

Students are offered support from, Tutors, Learning Mentors the Individual Learning Support Team and the Safeguarding Team. Students with additional needs where those needs might affect behaviour are supported by the Senior Curriculum Coordinator's and SEN and SEMH Student Advisor and Safeguarding Officers and where necessary multiagency partners will be asked to support students. Safeguarding

The College recognises that changes in behaviour may be an indicator that a student needs help or protection. We will consider whether a student's misbehaviour may be linked to them suffering or being likely to suffer from significant harm. Where this may be the case, we will follow our safeguarding policy.

Transition into College and Induction

The first 6 weeks of the students' journey is the ideal time to foster positive relationships and to model our college's high expectations. The induction programme ensures that students have a clear

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understanding of what good attendance and punctuality will look like, and how this will have a positive impact on their achievement and success at College and beyond. The whole college approach to Behaviour for Learning and shared responsibilities, are to be delivered during induction for all student's new or returning, by; tutor or Learning Mentor . It will be further reinforced via the tutorial process. This will ensure that all students know who to go to for support and to promote key messages about being ready for learning, respectful and safe.

Celebrating Success

College staff will celebrate the success of all students, whenever and wherever it occurs in a variety of ways. Focussing on success and positive outcomes is essential in developing a positive culture and ethos across the College.

Feedback

The simplest form of reward is positive dialogue, which supports improvement in learning. Formal, written feedback and informal discussion should emphasise positive achievement. All staff should give positive feedback to students whenever and wherever possible, via compliments on the students ILP. This builds self-esteem and helps to build and support the ethos we are aiming for. Staff should be particularly careful to avoid sarcasm, personal criticism, and comments which could be seen to foster low expectations. Criticism should be constructive and focused on specific actions and behaviours, or on work, rather than on students as individuals. It should be accompanied by indications of how to do better and praise for something well done. Work that is returned in a timely way and fully marked shows that staff have valued the work of students.

Attendance

90% attendance is the cross-college minimum standard; however, the aim is for students to achieve 100%. Exceptions include absence for genuine illness or external factors such as a family bereavement, and in those cases the College should be notified by a parent or guardian. The College is committed to preparing our students for the world of work, and as such all absence will be tracked, challenged and sanctions put in place on the day an un-notified absence occurs.

Fitness to Study

The College is committed to enabling all students to complete their programme of study successfully and achieve their potential. There are occasions, however, when physical or mental health issues are so complex or so significant that this is not possible. Each student will be considered on a case-by-case basis. Where it is decided that a student may be able to continue with their studies an assessment of need will be completed by the college, to determine if it is within our expertise and capacity to reasonably offer the support required. The responsibility to obtain and supply evidence of fitness to study, and any involved costs, lies with the student / parent / guardian. This evidence may only be for a finite period, if circumstances change a student will be re-assessed when required.

Ideally, a clear consensus would always emerge regarding the best way to progress, however, this will not always be the case. There will be occasions where the college believes that it has exhausted the support options available, it has made reasonable adjustments in all aspects of college life, but the student is unable to maintain their fitness to study. These situations impact negatively both on the student, since their welfare is at risk, and on the college since there is an excessive and unreasonable demand on resources.

If the College reaches a decision, after consultation with the student, parents / guardians and multiagency partners (if applicable), that a student should withdraw then this will be actioned. If it is agreed that a restart in the following academic year is an option, then this will only be possible if the

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student is able to provide evidence that their health has improved sufficiently, so that they are fit to resume study without further prolonged absence.

A meeting may be held to support complex needs of a student which may involve accessing the support of Head of Safeguarding, Senior Curriculum Coordinators, Curriculum Team Lead and or DSL (or DDSL), Tutor and multiagency partners. The students professional support network will decide on the feasibility of the student's continued place at the College.

(See Fitness to Study Policy [Fitness to Study Policy and Procedures.docx](#))

First 42 days:

During this probation period, learners will be supported through the process by their personal tutors and teachers. Learners will be focused on two common College wide targets. These will apply to all learners and for most learners these targets will be reviewed and personalised at the first Student Review Board.

During the probation phase learners will complete their college induction so as they are fully prepared to be a successful Oaklands College learner.

Some learners will not be successful in meeting the common College targets and through meetings and e-ILP updates these learners will be supported, challenged, and sanctioned to make rapid improvements.

Learners who do not meet the College's high expectations will not pass probation and will be removed from the College roll and be referred by the Careers Advisor to external agencies.

At the start of the probation phase there will be a small number of learners who will be placed on a Stage 3 (Manager Contract) from the start of the academic year. This will usually be due to risk assessment actions.

The College will communicate learner probation progress through the Pro-Monitor e-ILP only.

Bullying

Bullying is defined as the repetitive, intentional harming of one person or group by another person or group, where the relationship involves an imbalance of power. Bullying is also a form of child-on-child abuse and constitutes serious misbehaviour. One-off incidents, whilst they may be very serious and always be dealt with, do not fall within the definition of 'bullying'.

Bullying is: Deliberately hurtful.

Repeated, often over a period of time

Difficult to defend against

There is an imbalance of power, which makes it hard for those being bullied to defend themselves.

The College is committed to ensuring that everyone is equally valued, and no-one is mis-treated. Harassment and bullying in any form are unacceptable and will not be tolerated. Bullying might be a sign of abuse or other safeguarding issue, and this should be investigated thoroughly. All College staff will challenge bullying in all its forms, and firm action will be taken to protect the interests of its students and staff whenever incidents come to light. This applies when students are on; college premises, college transport, or college-related activities on other premises.

The college takes various measures to raise awareness and address the potential problem of bullying and harassment. These measures are not exclusive, and each case is judged on its merits with the appropriate action taken. Bullying will be dealt with in accordance with the college's disciplinary procedures.

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Prohibited Items

Prohibited items are:

Knives or weapons, alcohol, illegal drugs, and stolen items.

Legal highs, and prescription medicine used in a manner other than prescribed including nitrous gas.

Drug paraphernalia (for instance grinders)

Fireworks

Electric scooter / powered transporter

Pornographic images

Any article that the member of staff reasonably suspects has been, or is likely to be, used to commit an offence, or to cause personal injury to, or damage to property of, any person (including the student)

Any item banned by the college rules which has been identified in the rules as an item which may be searched for (for instance, laser pens).

In the event of a serious incident, we reserve the right to implement search procedures and search bags at random (without going through the formal search procedure.)

If a member of staff suspects that a student is in possession of a banned item, they must inform the Duty Manager, the DSL and DDSL. The student who is in possession of the banned item should always be supervised once a concern is raised. The support of the security team should be immediately requested.

If deemed appropriate by the Duty Manager, DSL or DDSL the colleges Searching, Screening and Confiscation Policy and Procedure will be implemented. Parents / Carers and multiagency partners will be informed, including the Police where appropriate.

The student will be asked to explain why they are in possession of a banned item. The process and procedure followed should be documented via Confidential comments on the students ILP.

The Head of Safeguarding should be alerted to any arising safeguarding concerns, for example, Criminal Exploitation, County Lines or substance misuse.

A written record will be kept of any occasion when a student is searched for any prohibited item. The record should include:

Who was searched, including full name, date of birth, gender and student number?

Why the search was conducted, grounds of suspicion and context

Who authorised the search?

What was searched?

Who conducted the search and who witnessed the search?

Place, date, time of the search?

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What was found?

- What if any reasonable force was used, and if so why

Parent/guardian is to be contacted and appraised of the search/results.

- The students' responses and how staff managed them (e.g., steps taken to calm the student)

If the student refuses to be search, note why. Then call parents.

- Outcomes and follow-up actions

All written reports will be retained on My Concern for a period of one year.

If, during a search, the person carrying out the search finds any prohibited items a picture must be taken as evidence alongside the student ID card. If an offensive weapon, drugs or article, the searcher may seize and retain the item, which must be handed over to the police as soon as possible.

If a student is found smoking outside the designated smoking areas staff will ask the student to dispose of the cigarette immediately.

In accordance with the Health Act 2006 and as a college we recognise that smoking is uniquely harmful. It is illegal to smoke in any public or communal areas. Smoking is prohibited outside of the designated areas.

If a student is seen to be vaping outside of the designated areas the student will be asked to stop and move to the designated area. This approach to E cigarettes and vaping respects the "precautionary principle"

Vaping inside the college is not permitted. If a student is found to be vaping inside the college, they will ask to stop and move to the designated area. If this behaviour is witnessed again the students will be advised to stop and if under 18 the students' parents will be informed. If the behaviour continues the vape will be confiscated and a stage meeting will be requested, and the curriculum director will be informed.

All guidance provided to students in respect of smoking and vaping must be recorded on Promonitor.

All staff are responsible for provided guidance in respect of health choices to students and are expected to challenge anyone smoking or vaping outside of the designated areas.

Designated areas must be clearly signposted.

It is illegal to sell cigarettes or vapes to under 18's. Children under the age of 18 should be asked where they purchased their vape or cigarettes Parents will be contacted if the student is 18 or under.

If a staff member has good reason to suspect a student may be under the influence of alcohol or drugs, the students' parents or listed contact will be notified by the Duty Manager, DSL or DDSL, parents will be asked to collect their child if such an incident arises. Any such incidents will be documented on Promonitor. Such incidents may result in the college stop and search policy being instigated.

Learner on learner including Child on Child Abuse

All staff are aware that children can abuse other children (often referred to as child-on-child abuse), and that it can happen both inside and outside of college and online. Sexual violence and sexual

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harassment are never acceptable, and it will not be tolerated. It should never be passed off as “banter”, “just having a laugh”, “a part of growing up” or “boys being boys”, “girls being girls.” All staff will challenge all inappropriate behaviours between children, that are abusive in nature. In such instances, the Safeguarding team and Curriculum Team Lead must be informed, The Behaviour policy will be followed, and the appropriate support will be provided by the Safeguarding Team and Curriculum area.

Formal Student Disciplinary Action

If students continue to not to meet College expectations, despite receiving informal support such as student meetings with s, tutors or Learning Mentors; under performance and inappropriate behaviour will be investigated to look at the root causes.

The Behaviour agreement, as part of the whole college approach to Behaviour for Learning seeks to promote and endorse the underpinning expectations of all students.

The purpose of the Behaviour Agreement is to ensure that a consistent process for timely and effective intervention of ‘at risk’ students, who may be underperforming and/or engaging in behaviour that might diminish their own or others’ learning, is in place. The students’ welfare, behaviour and performance are the responsibility of all, who will play a part in the students’ journey, and effective and positive relationships and communication about students between all staff is essential.

The behavioural agreement

The contract establishes expected norms and patterns of behaviour. The College sets high standards for the conduct of its staff and expects the same high standard of conduct from students. To support this, all students have agreed to a student contract which is:

Positive Attitudes to Learning and Development:

You will:

Develop a positive attitude towards your personal learning and development by working hard, being punctual and attending all your lessons, including maths and English.

Actively join in all parts of your course, including enrichment activities and work experience and make sure you follow all College and awarding organisation rules.

Work towards the targets you have agreed with your tutor. This will help you to achieve your qualifications.

Take part in independent learning activities. This will help you to prepare for work and other courses you may do in the future.

Come prepared to all sessions with uniforms/PPE (where required), pens, paper, files etc.

Hand in all your work on time.

Behaviours and Personal Responsibility:

You will:

Respect the beliefs, religions, and cultures of others. Treat everyone politely and respectfully.

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Use the College facilities with respect and care. Make sure you always follow the health and safety rules and regulations – for example by wearing your student lanyard, only smoking in the designated shelters etc.

Behave responsibly. For example, always let your tutor know if you cannot attend your class. Only use mobile phones in lessons when your tutor has given you permission.

Avoid making rude, hateful, or offensive comments about the College, its staff or students in any form including email, letter, phone, text message or on social networking sites (for example, Instagram and Twitter).

Avoid any bad behaviour, including using bad language, bullying or harassment, including sexual harassment that may cause offence or harm to College staff, students, visitors and property.

Obey the rules and you must not drink alcohol, take drugs or carry knives and weapons on College premises.

World of Work:

You will:

Have excellent attendance both during lesson time and whilst on work experience - if you cannot attend lessons/work placement let your tutor know immediately.

Dress appropriately wearing the correct uniform, PPE and /or sports attire as directed by your tutor and/ or workplace supervisor.

Develop positive working relationships through mutual respect.

Develop your team-working skills so that you work with others to achieve a common goal or to solve a problem.

Develop your communication skills, particularly how you can influence, listen and work together with others; lead by example in everything that you do.

Tell us straightaway about any extra help you may need so we can provide the best support for you.

Disciplinary Procedure

The Disciplinary Procedure outlines the Behaviour Management Stages and measures that will be taken when college rules are broken.

Reasonable adjustments will be made for students who identify with safeguarding or SEND support needs, these students will still follow the contract process.

There are five stages to the behaviour management policy, one informal stage and four formal stages:

Partnership Stage

Where there are repetitive low-level issues with a student that have not been resolved through discussions with teachers, tutors or Learning Mentors, the student will be provided with guidance and targets for behaviours, appropriate behaviours and conduct will be agreed.

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Interventions for Behaviour for Learning. Several measures not limited to, may be taken in response to being placed on Behavioural agreement or to improve behaviour for learning. These might involve, but are not limited to:

Limiting the student's access to enrichment or communal areas

Removal of IT rights (e.g., email and internet college access)

Attend identified additional workshops/lessons to complete missing work.

Interventions with external agencies, e.g., police, charities, CGL and multiagency partners

Amendments to timetable.

Fixed term suspension.

Lose Progression opportunities, by being not recommended to return to college.

Stage 1 – Formal Verbal Warning

Stage 2 – Formal Written Warning

Stage 3 – Formal Final Written Warning

Stage 4 – Formal Final Disciplinary Hearing

The Disciplinary Process

Partnership (Informal) Stage 0.

The Partnership Stage is supportive and offers an opportunity for staff to understand the reasons for the behaviour and therefore establish if support is required from other College services e.g., Additional Learning Support. The Partnership stage also provides staff and students with the student opportunity to identify any safeguarding or welfare concerns. Staff will help the student to consider the long- and short-term consequences of their behaviour and to make positive choices going forward.

Formal Stages

Entering formal stages should only be considered after a student has had the opportunity to correct their behaviour informally, after a Partnership Stage or where the behaviour is serious enough to warrant formal action.

Stage 1

A stage 1 meeting may result in a verbal warning.

Any member of Teaching staff may conduct and document a stage 1 meeting. A stage 1 meeting can be held where, after the partnership stage, the discussed behaviour, attendance, or academic

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progress has not been met or the seriousness of behaviour warrants moving past the Partnership Stage.

Stage 2

A stage 2 meeting may result in a written warning.

The Curriculum Area may hold a stage 2 meeting if, a verbal warning is still current (less than 3 months) and the discussed behaviour, attendance or academic goals detailed in the Behaviour Agreement have not been met within the agreed timescale. It can also take place if further misconduct takes place, whether the behaviour relates to a verbal warning OR the seriousness of behaviour warrants moving to the next stage.

Stages 3 & 4

A discussion with the CTM and Director will take place and a request for a Disciplinary Hearing at Stage 3 (or 4) must be BEFORE any fact find is started.

A fact find must be carried out prior to a stage 3 or stage 4 hearing.

Stage 3

A stage 3 meeting may result in a final written warning. The member of staff must give the student the opportunity to explain any reasons behind the behaviour and ask if the student is worried about anything and refer to Safeguarding Team if required.

PLEASE USE STAGE 3 PANEL MEETING FORM and once completed upload onto Promonitor.

Stage 4

Stage 4 meetings are to be minuted by the department Administrator.

A stage 4 meeting is usually held in the event of Gross Misconduct and may result in exclusion from College.

Where the alleged misconduct is deemed to be 'gross misconduct', to allow a thorough fact find to take place, the student will be suspended from College without prejudice by the Curriculum Director, Designated Safeguarding Lead, Head of Safeguarding, and asked not to enter any College sites until invited to attend a disciplinary hearing.

Conducting Disciplinary Hearings

A student who has been invited to attend a hearing must take all reasonable steps to attend. Any student who fails to attend a meeting, through circumstances outside their control and unforeseeable at the time the meeting was arranged, may be invited to attend a rescheduled meeting. If a student fails to attend without good reason, the hearing will be held, and a decision made in their absence.

Students have the right to be accompanied by a family member, appropriate adult, or advocate. The person accompanying may address the hearing and may confer with the student during the hearing but does not have the right to answer questions on the student's behalf (unless there are mitigating circumstances e.g., students with learning difficulties and disabilities or someone who is there in an advocate role). The person accompanying must not address the hearing if the student does not want him or her to, or prevent anyone, including the student from making his or her own contribution to the hearing.

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The appropriate person, relevant to the stage of the hearing, will conduct the meeting. The person conducting the meeting will explain the role of all those attending and will then explain the behaviours or incident that have led to the meeting taking place. The student will be given the opportunity to respond in full. If any matters come to light during a disciplinary hearing that require further investigation, panel, may, at its discretion, adjourn any hearing to enable further information to be gathered.

These are examples of serious breaches of college's expected behaviours.

The Director of Faculty or Vice Principal Student Experience will have the final say with regards to what is deemed a serious breach of college's code of conduct and Behavioural Policy.

1. Failure to comply with a reasonable request from a member of staff, which could place a student or staff member at risk of harm.
2. Breaches of health and safety rules.
3. Verbal abuse of students, staff, or other adults.
4. Found in the possession of prohibited items (see Prohibited items list in search section)
5. Bringing an offensive weapon into the College/grounds.
6. Wilful damage to property.
7. Homophobic or racist bullying.
8. Bullying, including online.
9. Sexual harassment or misconduct or when travelling to and from college
10. Theft.
11. Making a false allegation against a member of staff.
12. Behaviour which calls into question the good name and order of the college.
13. Persistent defiance or disruption. This includes repeated serious breaches of college rules and/or repeated escalation of behaviour interventions.
15. Minor assaults or fighting.
16. This list is not extensive and other serious breaches of college rules can be added.

NB: If the nature of the alleged conduct involves verbal or other abuse against a staff member the member of staff must be given any immediate support needed (via Human Resources and line manager) and the Duty Manger, DSL or DDSL must immediately inform the Director or Manager of Human Resources of the incident.

Conducting a Stage 4 Meeting

The Chair (normally the Vice Principal Student Experience & Progression, or appropriate delegate) will outline the meeting format and outcomes and state the reason for the disciplinary meeting.

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The Investigating Officer will present information about the nature of the misconduct and outline the evidence gathered, including calling any witnesses deemed appropriate to the investigation.

After discussion with the student, the Chair will ask for the student and their representatives to leave the room to allow for a recommendation to be discussed with the relevant panel members.

Once a decision is reached, the Chair will invite all parties back and will share with them their recommendations and suggested action.

If a decision is made to exclude, the panel will inform the student that this will take place with immediate effect.

The student will be notified in writing of the outcome of the Stage 4 Meeting. The exclusion will be noted on Pro-Solution and any subsequent applications from the individual will be subject to a review meeting, however for serious gross misconduct, they may never be considered suitable –MIS. must be notified of this decision so that Pro-Solution is noted.

Advise of the right of appeal within 10 days to a Senior Postholder via appeals@oaklands.ac.uk
The meeting details MUST be recorded as a Stage 4 Meeting on Pro-Monitor meetings by the member of Executive and Curriculum Administration Team.

All of these matters will be confirmed to the student in writing, if the student is 19 or under a copy of outcome must also be sent to Parents/Carers by the Executive and Curriculum Administration Team.

Appeals

There shall be no right of appeal against a partnership stage, verbal warning, or written warning although the Complaints Procedure applies if students feel they have been wrongly treated.

Any student who is dissatisfied with a final written warning or exclusion decision taken in respect of him or her, may appeal against that decision. Appeals should be in writing, setting out the reasons for the appeal, and should be received by the college within 10 working days of the date of the

hearing and addressed to a Senior Postholder. Until the appeal has been considered, the student will remain excluded if this was the original sanction.

Upon receipt of an appeal:

The student will receive a written response within 15 working days. Consideration must be given to the impact of any prolonged absence from college.

The appeal will be conducted by the Senior Postholder at the student's home campus.

The Senior Postholder or delegate will:

review the original documentation and outcomes of any disciplinary panel

and may also speak to the Investigating Officer, panel members and the student

The Senior Postholder may decide that there is insufficient evidence on which a final outcome can be based. The appeal meeting will reconvene once further facts have been gathered.

The Senior Postholder will inform the student of the outcome of the appeal in writing.

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If the appeal is dismissed the decision of the original hearing will stand and will be implemented immediately.

The Senior Postholder may decide to allow the appeal but may impose lesser sanctions than the original ones.

Please note, an appeal may be conducted in person or through a review of documentation.

Support

At any stage of the process additional support may be provided if the student has a learning difficulty or disability or is on an ESOL programme. If a student has an Educational Health Care Plan (EHCP), ensure The Panel is informed and resources are made available to support the student. If the student does not attend at any stage, without good reason, within 15 minutes, the hearing will take place in the absence of the student. In the event of certificated proof of illness, the meeting will be postponed.

Notifying Students

All meetings will be held at a reasonable time and place.

Parents/carers of students under 19 (25 if the student has an EHCP) will be informed of and are welcome to attend stage 1 and 2 meetings.

Students who have reached stage 3 and stage 4 will be invited to a formal meeting.

If the Student is under 19 or under 25 with and EHCP then the Parent/Carer must be invited to attend, Parents/Carers and the Student should be notified of the following:

The nature of the alleged misconduct

The entitlement to be accompanied as detailed above

Confirmation of the time and place of the meeting

A named person to contact if they have any queries

Copies of documentation to be used in the meeting (to be received by student at least two working days prior to panel)

An explanation of how the meeting will be conducted

A request to provide evidence to be included in the meeting (statement)

Variations and amendments to this procedure

If a complaint concerning a staff member (particularly any member involved in a stage 3 or 4) is received, then the College has the discretion to delay any meeting pending investigation.

Important Points to Note

All actions taken involving a student such as, contacting parents/carers, incidents of minor misconduct, conversations around attendance, or supportive conversations addressed with a student, must be logged in Pro-Monitor.

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This is crucial evidence during the behaviour management process.

Where information, including Partnership stage meetings, Stage 1, 2 or 3 meetings and/or conduct action plans are not logged in the system, it will be assumed that these did not go ahead.

Each stage of the disciplinary process must be recorded by the relevant member of staff.

Pro-Monitor should not be used to pass a behaviour issue to someone else. If the behavioural issue is noticed by you, you must address it through this policy and procedure.

Staff teaching and Learning Mentors should consult with their CMT who may in turn contact representatives of the organisation, for example the Head of Safeguarding with whom they are working in partnership with, before instigating any formal disciplinary action.

This procedure shall be independent of any disciplinary procedure operated by the student, sponsor, employer or managing agent.

The vast majority of students disciplined within College have a Pro-Monitor record, where they don't, paper records must be retained as evidence of action taken. If a student has been excluded, the MIS Team must be notified so that Pro-Solution records can be noted accordingly.

Criminal Offences

Where a 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/or Professional, Statutory and Regulatory Body (PSRB). The College may continue misconduct proceedings under this policy and procedure or suspend the student pending the outcome of police enquiries and any charges which may be brought against the student.

In the case of a student being suspended under this provision, when the results of those enquiries and any criminal proceedings are known, the College reserves the right to recommence proceedings under this policy and procedure in relation to the matter.

Any misconduct action relating to alleged criminal offences will be based on the genuine belief of the member of staff taking the action after a proper investigation and need not wait for court proceedings. It is emphasised that in relation to the application of this procedure the College is not bound by the results of any criminal proceedings against students.

If any allegations involve Students following programmes that lead to Professional Practice Awards, it may be necessary for the student/s to be suspended from the work placement or practice element of the programme while external agencies investigate (Police and/or Local Authority Designated Officer (LADO)). This will not necessarily mean that the student is suspended from the academic study elements of the programme and will be determined on an individual basis.

Complaints

If the student or any representative of the student has any concerns about the fairness of the investigation or any of the proceedings, they are entitled to instigate the College's complaints procedure.

Examples of Gross Misconduct (on campus and online or when representing the college):

Fighting with or assaulting another student, member of staff or visitor.

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Use of abusive behaviour against a student, member of staff or visitor (e.g., verbal, physical, online, posturing, or other)

Racial, sexual harassment or sexual violence.

Discriminatory behaviour towards people with learning difficulties or disabilities, including harassment and name calling or other forms of offensive language about people with learning difficulties or disabilities.

Carrying of weapons or articles intended for violent use, be it for defence or attack.

Assault and robbery (mugging) and demanding money with menaces.

Theft of personal property/Theft of College property.

Failure to disclose criminal conviction/pending investigation

Being in possession of, or under the influences of illegal drugs or alcohol

Buying or selling illegal drugs on college premises.

Vandalism to College or personal property, including the defacing of college property with graffiti.

Interfering with equipment provided for health, safety and fire precautions including the false activation of the fire alarm system.

Committing arson on college premises.

Cheating within any form of assessment.

Deliberate or careless introduction of a computer virus.

Accessing any form of offensive material or executable files (virus risk) from the College computers.

Plagiarising material (electronically or paper-based).

Fraudulent signing of bursary forms.

Improper behaviour or bringing the College into disrepute (this can also include inappropriate behaviour from a student's family member or friend towards another student, parent or visitor).

Dangerous driving of any vehicle (car, motorbike, motor scooter, other motorized vehicle) on campus

Smoking outside designated areas causing harm to others

Vaping inside the college buildings, communal areas, toilets, classrooms, or workshops, causing smoke alarms to be activated and persistently not following the college's code of conduct.

HE Student Behaviour Process Policy and Procedure

4.5 If suspension of a University of Hertfordshire HE student is necessary, the Director, Duty Manager/ DSL / DDSL/CTM authorising the suspension must inform the Oaklands HE Coordinator in their absence a Director will inform the Dean of Students Office at the University of Hertfordshire: deanofstudents@herts.ac.uk. This notification must be made as soon as possible. In addition, the

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return to study date should be confirmed at this time. This date should reflect the date that the suspension is lifted, rather than the first date the student re-attends their course, either virtually or physically.

Suspension of University of Hertfordshire students should be conducted regarding the following University policies: Student Discipline and its appendix Suspension or Exclusion from the University by the Vice-chancellor. Attention is drawn to paragraph 8.1.3 in the Student Discipline policy, and the associated policy Student Mental Health and Wellbeing.

4.6 The Student Disciplinary Policy and Procedure is not intended to be a court of law. For the avoidance of doubt, the standard of proof to be used in making findings of fact or in imposing disciplinary penalties is the 'balance of probabilities' i.e., that it is more probable than not that the alleged misconduct or poor behaviour occurred.

4.7 Every effort will be made to hold any meeting and to provide a decision within the relevant timescales provided under the student disciplinary process. However, if the matter is a complex one or if it requires detailed investigation, or if the relevant personnel are unavailable, it may not be possible to meet those timescales. In these circumstances, the student will be informed of the reason(s) for the delay, and the timescales in which a meeting will be held, or a decision can be expected.

4.8 The College may, at times, be obliged to refer to upheld findings of misconduct or poor behaviour in a student reference to discharge its legal obligation to provide a true and accurate reference to future education providers or future employers.

4.9 The College may be obliged to disclose information arising from a disciplinary Fact Find, or Stage meeting to the Police on receipt of a written request, provided that the college is satisfied that it is permitted to do so under the Data Protection Act 1998 and this respects any information sharing agreement that is in place.