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STUDENT/APPRENTICE BEHAVIOUR AND CONDUCT POLICY AND PROCEDURES

1. INTRODUCTION, PURPOSE AND DEFINITIONS

1.1 The College is committed to providing a safe, calm and orderly environment that promotes a positive, respectful and inclusive culture. All student/apprentices are expected behave in a responsible and respectful way akin to a professional working environment. The College has a zero tolerance to any behaviours or attitudes which have the potential to cause distress or harm to others.

1.2 This policy is based on the principles of social justice. It seeks to ensure and protect the right of all members of the College community to study and work in an environment of mutual respect and tolerance, and is designed to be supportive. The College endorses the [AoC Charter for Student/Apprentice Engagement](#) as an integral part of the process of developing a positive behaviour culture which compliment the College values of **Respect, Inclusion, Sustainability, Equality and Excellence**.

1.3 The College has high expectations and high aspirations for all students/apprentices. It recognises that good behaviours and attitudes, and self-discipline supports effective learning, and is critical to a student/apprentice's progress and progression.

1.4 The College recognises that as an education provider there is a duty to support students/apprentices who demonstrate negative behaviours; the root cause of the behaviour must always be explored, understanding that any form of misbehaviour is a form of communication.

1.5 It is vital that the College clearly defines and communicates its expectations of student/apprentices during the induction period and that these are revisited regularly. It is important that these expectations are easy to understand, concise, positive and aspirational.

1.6 These expectations will be widely circulated to the student/apprentice body so that no one is any doubt about what is expected of them. A copy of this policy, the Student/Apprentice Pledge (as found in Appendix 1) and related documentation must be shared at the start of a student/apprentice's programme.

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1.7   Students/apprentices must also be aware of the consequences that will be applied if they choose, after support, to continue to misbehave. When action is taken against a student/apprentice, they must be given the right of appeal.

1.8   Special consideration and reasonable adjustment will be made where a student/ apprentice's understanding of the Student/Apprentice Behaviour and Conduct Policy may be affected by their learning difficulty, disability or mental health. Each case will be dealt with on an individual basis.

1.9   This policy should be read in conjunction with the College:
- Safeguarding Policy and Procedures
- Fitness to Study Policy and Procedures
- Attendance Management Policy and Procedures

2.   SCOPE AND RESPONSIBILITIES

2.1   The scope of the policy is not restricted to College premises and includes any behaviours that effect the local and wider community, and/or brings the College in to disrepute. It applies to all students and apprentices.

2.2   Overall responsibility for the implementation of this policy lies with the Vice Principal Study Programmes and Apprenticeships and the Head of Personal Development.

2.3   The policy is not to be used to address issues concerning mental health and wellbeing, which should be referred to appropriate College support mechanisms, and if appropriate the Fitness to Study processes. It should not be used to address issues around academic performance and support, which should be addressed using the College tutorial and support processes.

2.4   The breach procedures (see Appendix 2) within this policy are intended to be used where issues around behaviour and conduct cannot be managed through everyday classroom management, or when behaviour or conduct remains unacceptable despite informal tutorial/support intervention.

2.5   During teaching, learning and review sessions, the teacher/assessor/trainer has immediate responsibility for student/apprentice behaviour and conduct.

2.6   All College staff have responsibility for maintaining student/apprentice behaviour and conduct outside the normal teaching and learning areas and should advise student/ apprentices that behaving in a manner that is contrary to the Student/Apprentice Pledge may lead to disciplinary action. Staff should then follow the appropriate action listed in the policy, as appropriate.

2.7   Parents and carers of students/apprentices under the age of 18 will be informed of any actions the College takes to manage behaviours, when appropriate to do so.

2.8   For Education Programmes for Young People (EPYP/Study Programmes) the breach procedures should be led by the vocational/technical area, in collaboration with any cross-College teams.

2.9

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For Apprentices in the workplace, and students on Work Experience/Placement, whilst it is recognised that employers/providers may have their own codes of conduct and disciplinary procedures, student/apprentices will be expected to comply with the Student/Apprentice Pledge whilst on workplace premises. This should be made clear to both student/apprentices and employers. Employers should be asked to make the College aware of any student/apprentice behaviour and conduct issues and what actions were taken. It may also be more appropriate for Apprentices to be set actions to change behaviour and attitudes as part of their Review process.

2.10   In the case of High Needs, Adult and HE students, depending on the level of their personal development skills, it may be more appropriate to use a Progress Review/1:1 to raise concerns and set clear actions for improvement. This decision will be made by the Programme Area Manager on a case-by-case basis.

2.11   Student/apprentices studying on higher education programmes are subject to the Student/Apprentice Behaviour and Conduct Policy, in conjunction with additional policies, processes and procedures also in place, to regulate the higher education provision.

2.12   Student/apprentices in accommodation or home study have rules to comply with that are specific to their residential status, but are still subject to the Student/Apprentice Behaviour and Conduct Policy. Removal from accommodation or home study could be a potential sanction.

3.   PRINCIPLES

3.1   All efforts should be directed towards helping and supporting students/apprentices and attempts should be made to resolve minor breaches informally through the tutorial/review process, using target setting, lesson/session behaviour management and close monitoring by teaching/assessing staff.

3.2   It is extremely important that any effort to help and support students/apprentices informally is recorded. If the case is escalated to the formal stages it is expected that written/digital evidence of any previously used informal strategies are presented.

3.3   When all informal efforts have failed to address issues, the formal process should be applied in a fair and considered way. The procedures should begin at the stage appropriate to the type of breach.

3.4   All alleged breaches of the Student/Apprentice Pledge must be investigated, with documented evidence: ProMonitor/Smart Assessor comments, witness interviews, statement taking, or examination of other documents should be undertaken. It is the responsibility of the chair of the disciplinary meeting to coordinate that all documents provided are presented at disciplinary meetings.

3.5   Breaches of discipline may be 'minor', 'major' or 'gross'. Any examples given in this policy are for guidance only and do not represent an exhaustive list. Professional judgements will need to be made in individual cases and are ultimately the decision of the Director of Curriculum/Apprenticeships.

3.6   Where a student/apprentice is suspected of a criminal offence, the police will be contacted. Any subsequent formal police action will not affect the College's own Student/Apprentice Behaviour and Conduct Policy from being implemented but the

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procedure may be extended or suspended depending on the type of police investigation being carried out. This will be decided by the Vice Principal responsible for that area of provision.

4.   COOLING OFF PERIOD, SUSPENSION AND EXCLUSION

4.1   At the discretion of the Director of Curriculum/Apprenticeships or Manager in attendance, at the point of an incident occurring, a 24-hour 'cooling off period' can be used, if deemed appropriate. This is not a suspension and it should be clearly communicated that the student/apprentice is to return on their next day of learning.

4.2   Suspension is only to be used as a temporary action where there is a potential physical risk to others or to the perpetrator, in order to give time for an investigation to be undertaken before a disciplinary meeting. **Suspension is a neutral act and not a sanction**.

4.3   The College recognises that a suspension usually means a student/apprentice is out of learning for a period of time, it will therefore aim to investigate, and if applicable, set up a Disciplinary Meeting, as soon as practically possible; in the meantime it will provide the student/apprentice with work to do at home pending the meeting.

4.4   Parents/carers of student/apprentices under the age of 18 will be informed if a student/apprentice has been suspended or the 'cooling off period' is evoked, where appropriate.

4.5   The relevant Programme Area Manager (with the authorisation of the Director of Curriculum/Apprenticeships) is responsible for making the decision whether or not to suspend a student/apprentice. Members of the Senior Leadership Team can authorise the suspension of a student/apprentice in their absence.

4.6   All suspension and 'cooling off' actions must be noted via the 'Comments' function in ProMonitor by the Director of Curriculum/attending manager. For apprenticeships, this should be logged on the SharePoint Behaviour Management Tracker.

4.7   A suspension must be confirmed to the student/apprentice (and parent/carer as appropriate), in writing, by the relevant Programme Area Manager.

4.8   Whilst suspended, a student/apprentice may not enter College premises, or other premises used for the delivery of College education, without permission from the relevant Programme Area Manager.

4.9   Use of the College Visual Learning Environment (Moodle or Smart Assessor) and attendance at work/work placement is still permitted with the permission of the relevant Programme Area Manager, liaising with the appropriate employer/placement provider.

4.10   The College defines exclusion as 'for the rest of the academic year'. If a Stage 3 meeting has been undertaken and a student/apprentice is to be excluded for the current academic year, the chair of the meeting must obtain authorisation by the relevant Vice Principal before the meeting is closed or immediately thereafter (if not practically possible). Students/apprentices must be made aware of this sanction in writing.

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4.11   Once the exclusion period has expired a behaviour risk assessment and associated risk management plan should be undertaken on re-application. This must be done in collaboration with the applicant and all relevant internal stakeholders.

5.   FORMAL BEHAVIOUR AND CONDUCT BREACHES AND APPEALS

5.1   There are 3 stages to the formal breach process (see Appendix 2): Stage 1 for minor breaches, Stage 2 for major breaches and Stage 3 for gross breaches. All breaches must directly relate to a point or points on the Student/Apprentice Pledge (Appendix 1).

5.2   At all stages of the process, students should be informed of their right to support and the provision of any appropriate reasonable adjustments.

5.3   Three possible decisions will be made for each case, either there is sufficient evidence for it to be 'Upheld', some evidence is missing or the facts are partly unclear resulting in it being 'Partially Upheld' or it is decided there is no/not enough evidence meaning there is 'No case to answer'.

5.4   Guidance, support and training on chairing student/apprentice disciplinary meetings will be available via the Head of Personal Development.

5.5   The reference to 'working days' in any correspondence may be extended during holiday periods. If this is the case, the student/apprentice must be notified of the reason for the extension.

5.6   At each stage of the disciplinary process, it is important that student/apprentice is given the right to appeal and are informed that they may seek advice on any support requirements from Student Services. They must also be given a copy of all relevant documentation relating to the procedure and advised of the outcome of the disciplinary procedure in writing.

5.7   Any appeal must be made in writing within 10 working days of receiving formal communication, and must state the grounds for the appeal (e.g. new evidence not considered by the meeting's panel, conduct or fairness of the original procedure, disagreement over sanction applied).

5.7.1   **Minor Breach Appeals (from Stage 1)**
The student must submit a written appeal to the Programme Area Manager within 10 working days from the date of the Disciplinary outcome letter. The appeal can be created with support from someone they know or a member of staff at the student/apprentice's request. The Programme Area Manager's decision is final and will be communicated to the student/apprentice in writing within 5 working days (wherever practicable) and logged on ProMonitor under the original meeting record.

5.7.2   **Major Breach Appeal (from Stage 2)**
The student must submit a written appeal to the Director of Curriculum/Apprenticeships within 10 working days from the date of the Disciplinary outcome letter. The appeal can be created with support from someone they know or a member of staff at the student/apprentice's request. The Director's decision is final and will be communicated to the student/apprentice in writing within 5 working days (wherever practicable) and logged on ProMonitor under the original meeting record.

5.7.3   **Gross Breach Appeal (from Stage 3)**

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The student must submit a written appeal to the Vice Principal within 10 working days from the date of the Disciplinary outcome letter. The appeal can be created with support from someone they know or a member of staff at the student/apprentice's request. The Vice Principal should consult with another member of the College's Senior Leadership Team to obtain an objective view. The Vice Principal's decision is final and will be communicated to the student/apprentice in writing within 5 working days (wherever practicable) and logged on ProMonitor under the original meeting record.

6. RECORD KEEPING

6.1 Records of each stage of the disciplinary process (and all evidence collated) must be logged on ProMonitor under the 'Disciplinary Meeting' function for classroom- based students. For Apprentices, there is a designated 'Behaviour Management Tracker' on the APCO SharePoint. All relevant parties must be informed in writing of the outcome at each stage.

7. SAFEGUARDING

7.1 There may be occasions where student/apprentice behaviour and conduct immediately relate to or later identify a safeguarding issue. In these circumstances, safeguarding must be given a priority. All cases need to be treated on an individual basis and the normal safeguarding procedures must apply. At no time should the impending outcome of a disciplinary process delay the reporting of a safeguarding issue. In these situations, seek advice from the Designated Safeguarding Lead (DSL).

8. QUALITY ASSURANCE, REVIEW AND EVALUATION

8.1 The Vice Principal for Study Programmes and Apprenticeships, together with the Head of Personal Development, is responsible for reviewing the Student/Apprentice Behaviour and Conduct Policy and Procedures every two years and making appropriate changes. Appropriate refresher training for staff will be provided as appropriate, including an exemplar list of breaches and the sanctions taken in order to help standardise judgments and decision-making.

8.2 The College will be able to report on an overview of the recorded disciplinaries taken place in each area, together with their outcomes and sanctions applied, via the College's reporting portals. They will also be able to see an overview of any appeals and their outcome.

8.3 Reporting will be undertaken on an annual basis to SLT and governors, indicating the trends and what actions have been taken to support student/apprentices to stay in learning as much as possible.

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STUDENT/APPRENTICE PLEDGE

The College embeds its core values of **Respect, Inclusion, Sustainability, Equality** and **Excellence** into the Student/Apprentice Pledge. It also ensures that each of our commitments and expectations link to our Personal Development (PD) Framework. This means that…………

Leicester College **will provide**:

Ref	Commitment	PD Theme	College Value/s
LC1	Inspiring ways to study your chosen subject, using a range of methods and technologies, including opportunities to enhance personal development skills	Study Hard and Smart	Inclusion, Equality and Excellence
LC2	Consistently high aspirations, supported by high expectations of everyone	Study Hard and Smart	Inclusion and Excellence
LC3	Opportunities to become 'work ready' through interactions with different industry professionals (as relevant)	Plan Your Next Steps	Inclusion and Excellence
LC4	A high quality careers education service to ensure you make the right choices about your next steps and/or career pathway and intended destination	Plan Your Next Steps	Inclusion, Equality and Excellence
LC5	A safe, supportive and friendly learning environment with high quality facilities and equipment	Be Safe and Well	Respect, Sustainability, Inclusion and Equality
LC6	Support and advice on being both physically and mentally healthy	Be Safe and Well	Respect, Inclusion and Equality
LC7	Promotion of equity and inclusion, and the celebration of diversity, providing support for both learning and life	Be Supported and Involved	Inclusion and Equality
LC8	Opportunities for everyone to share their views, communicating the improvements made as a result	Be Supported and Involved	Inclusion, Equality and Excellence

As a Student/Apprentice **you will**:

Ref	Expectation	PD Theme	College Value/s
SA1	Engage with the range of methods available to study and take responsibility, engage, attend and being on time	Study Hard and Smart	Inclusion, Equality and Excellence
SA2	Have high expectations and aspirations for yourself, including setting goals/targets to support you to succeed	Study Hard and Smart	Inclusion and Excellence
SA3	Engage in the different opportunities on offer at the College, which meet your needs and develop you further	Plan Your Next Steps	Inclusion and Excellence
SA4	Demonstrate 'work readiness', using what you have learnt at College to prepare you for the world of work	Plan Your Next Steps	Inclusion and Excellence
SA5	Keep yourself and others safe, letting us know if you or anyone you know is at risk of harm	Be Safe and Well	Respect, Inclusion and Equality
SA6	Let the College know when you need support, including keeping yourself physically and mentally healthy	Be Safe and Well	Respect, Inclusion and Equality
SA7	Respect everyone and their differences, including their right to learn	Be Supported and Involved	Respect, Inclusion and Equality
SA8	Help the College to improve by sharing your considered views	Be Supported and Involved	Inclusion, Equality and Excellence

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STUDENT/APPRENTICE FORMAL BEHAVIOUR BREACH/DISCIPLINARY PROCEDURES

MINOR BREACH - STAGE 1

BREACH - Examples: Repetitive lateness, repetitive absence, disruptive or unruly behaviour, smoking outside of authorised locations, unauthorised use of mobile phone. **SANCTION – Examples:** Verbal Warning, Personal Development Targets, Action Plan with Parent/Carer involvement

Step	Action Required*	Evidence Required/ By Who*	Location of Evidence
1	Member of staff who identifies the breach to notify the Programme Lead & Programme Area Manager via ProMonitor and uploads a completed Incident Report Form to ProMonitor.	ProMonitor Comments/APCO Comms/Staff Member Incident Report Form/Staff Member	ProMonitor 'Student Comments' ProMonitor 'Uploaded Documents'
2	Chair (Programme Lead or delegated) to set a date and time for student to meet with them for a Stage 1 Meeting and set up 'Disciplinary Stage 1 Meeting' record on ProMonitor/APCO SharePoint. PL^ to invite other College staff as appropriate.	ProMonitor Disciplinary Stage 1 Meeting/PL^	ProMonitor 'Student Meetings'
3	Student to attend **Disciplinary Meeting Stage 1** (or if not attended meeting to continue without them) and notes/outcome/evidence to be logged in ProMonitor 'Student Meeting'. If outcome is 'No case to answer' this is selected in the ProMonitor Meeting template and an outcome letter is sent. If outcome is 'Upheld' this is selected in the ProMonitor Meeting and Personal Development targets are set for student to action and/or appropriate sanctions imposed. Review date to be set by PL^. Outcome letter to be sent to student# including sanctions/actions.	ProMonitor Disciplinary Stage 1 Meeting/PL^ ProMonitor 'Student Meeting'/PL^ Letter to student & uploaded onto ProMonitor Meeting/PL^ ProMonitor 'Student Meeting'/ ProMonitor Personal Development targets/PL^ Letter to student and uploaded onto ProMonitor Meeting/PL^	ProMonitor 'Student Meetings' ProMonitor 'Student Meetings' ProMonitor 'Student Meetings' ProMonitor 'SMART Targets'
4	PL^ to review adherence to targets set and note the outcomes of the review in ProMonitor Targets. If requirements are met, the case is closed. If requirements/actions/targets not met, implement Stage 2.	'Actions Taken at Review' within ProMonitor 'SMART Targets' to be completed/PL^ Stage 2 Meeting letter to student/Apprentice/PL^	ProMonitor 'SMART Targets'

APPEALS			
5	Programme Area Manager responds with outcome of appeal within 5 days of receipt. ProMonitor Meeting is updated with notes about the appeal and its final outcome.	Letter confirming decision sent & uploaded into original meeting on ProMonitor/PAM	ProMonitor 'Student Meetings'

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MAJOR BREACH - STAGE 2

BREACH - Examples: Repeating a minor breach, failure to comply with/carry out agreed actions/targets from Stage 1, offensive language or behaviour, continued refusal to show identification or display ID badge, acting in an unsafe manner, persistent disrupting the work or recreation of others. **SANCTION – Examples:** Written Warning, Personal Development Targets, Action Plan with Parent/Carer involvement

Step	Action Required*	Evidence Required/ By Who*	Location of Evidence
1	Member of staff who identifies the breach/escalation to notify the PL^, Coach (where appropriate) & Programme Area Manager via ProMonitor and uploads a completed Incident Report Form to ProMonitor.	ProMonitor Comment/Staff Member Incident Report Form/Staff Member	ProMonitor 'Student Comments' ProMonitor 'Uploaded Documents'
2	Chair (Programme Area Manager) to set a date and time for student to meet with them and set up 'Disciplinary Stage 2 Meeting' in ProMonitor. Programme Area Manager to invite other college staff as appropriate. Invite letter to be sent to student# and a chosen representative to disciplinary meeting.	ProMonitor Disciplinary Stage 2 Meeting/PAM Letter/email to invite to disciplinary meeting/PAM	ProMonitor 'Student Meetings'
3	Student to attend **Disciplinary Meeting Stage 2** (or if not attended meeting to continue without them) and notes/outcome/evidence to be logged in ProMonitor Meeting. If outcome is 'No case to answer' this is selected in the ProMonitor Meeting and outcome letter is sent/ If outcome is 'Upheld' this is selected in the ProMonitor Meeting and Personal Development targets to be set for student to action/appropriate sanctions imposed. Review date to be set by Programme Area Manager and outcome letter is sent to student#.	ProMonitor Disciplinary Stage 2 Meeting/Chair ProMonitor 'Student Meeting'/PAM Letter to student and uploaded onto ProMonitor Meeting/PAM ProMonitor 'Student Meeting'/PAM ProMonitor Personal Development targets/PAM Letter to student and uploaded onto ProMonitor Meeting/PAM	ProMonitor 'Student Meetings' ProMonitor 'Student Meetings' ProMonitor 'Student Meetings' ProMonitor 'SMART Targets'
4	Programme Area Manager to review adherence to targets set and note the outcomes of the review in ProMonitor Targets. If requirements are met the case is closed. If requirements not met, implement Stage 3.	'Actions Taken at Review' within ProMonitor 'SMART Targets' to be completed/PAM Stage 2 Meeting letter to student*/PAM	ProMonitor 'SMART Targets'

APPEALS			
5	Director responds with outcome of appeal within 5 days of receipt. ProMonitor Meeting is updated with notes about the appeal and its final outcome.	Letter confirming decision sent & uploaded into original meeting on ProMonitor/Director	ProMonitor 'Student Meetings'

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GROSS BREACH – STAGE 3

BREACH - Examples: Failure to comply with/carry out targets/action plan from Stage 2, theft, violence or threat of violence, influence of drink or drugs, selling drugs, wilful damage to college or other people's property, gambling, sending/accessing/downloading pornographic/offensive material, carrying/use of a weapon, inviting or assisting people who are not college students to enter the college without reporting to reception, making an unfounded allegation against a member of staff, criminal activity affecting the college or other students or which could bring the college into disrepute.
SANCTION – Examples: Final Written Warning, Personal Development Targets, Action Plan with Parent/Carer involvement, Temporary Exclusion

Step	Action Required*	Evidence Required/By Who*	Location of Evidence
1	Member of staff who identifies the breach to notify the Programme Lead & Programme Area Manager via ProMonitor and uploads a completed Incident Report Form to ProMonitor.	ProMonitor Comment/Staff Member Incident Report Form/Staff Member (as applicable)	ProMonitor 'Student Comments' ProMonitor 'Uploaded Documents'
2	Chair (Director of Curriculum) to set a date and time for student to meet with them and set up 'Disciplinary Stage 3 Meeting' in ProMonitor. Panel to include another member of the management team. Invite letter sent to student# and a chosen representative to disciplinary meeting.	ProMonitor Disciplinary Stage 3 Meeting/Director Letter to invite to disciplinary meeting/Director	ProMonitor 'Student Meetings'
3	Student to attend **Disciplinary Meeting Stage 3** (or if not attended meeting to continue without them) and notes/outcome/evidence to be logged in ProMonitor Meeting. If outcome is 'No case to answer' this is selected in the ProMonitor Meeting and outcome letter is sent to student# If outcome is 'Upheld' this is selected in the ProMonitor Meeting and Personal Development targets to be set for student to action/appropriate sanctions imposed (e.g. exclusion). If exclusion is the sanction then VP authorisation to be sought before outcome letter to student#.	ProMonitor Disciplinary Stage 3 Meeting/Director ProMonitor 'Student Meeting'/Chair Letter to student & uploaded onto ProMonitor Meeting/Director ProMonitor 'Student Meeting'/Chair ProMonitor Personal Development target/s/Director Letter to student and uploaded onto ProMonitor Meeting/Director	ProMonitor 'Student Meetings' ProMonitor 'Student Meetings' ProMonitor 'Student Meetings' ProMonitor 'SMART Targets'
4	Programme Area Manager to review adherence to targets set and note the outcomes of the review in ProMonitor Targets. If requirements are met the case is closed. If actions are not adhered to and there is a decision to exclude an email must be sent to the VP to authorise and a confirmation letter to the student# once authorised.	'Actions Taken at Review' within ProMonitor 'SMART Targets' to be completed/PAM Letter of outcome/exclusion sent and student asked to return badge and go off site/Director	ProMonitor 'SMART Targets'

APPEALS			
5	Vice Principal responds with outcome of appeal within 5 days of receipt. ProMonitor Meeting is updated with notes about the appeal and its final outcome.	Letter confirming decision sent & uploaded into original meeting on ProMonitor/VP	ProMonitor 'Student Meetings'