

LEARNER BEHAVIOUR POLICY 2023-24

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1.0 Introduction

City of Portsmouth College (COPC) expects all learners to conduct themselves in a disciplined and orderly manner and to consider the impact of their behaviour on others in the learning environment. This is 'acceptable behaviour.'

Our aim is to support all our learners in realising their ambitions and be prepared for the world of work or further study. This policy sets out how we as a college and you as learners will work together to achieve this.

COPC expects everyone to uphold its values with regard to behaviour, work completion attendance, and punctuality.

This Policy makes clear the system of sanctions that are in place to help learners learn from their misjudgments. These are designed to enable learners to access the support they need to make positive changes in their behaviour. In this way, all learners will be able to benefit from learning in a safe and positive environment. Our experience shows that the majority respond to these interventions without the need for more formal action. Where necessary, however, the college will invoke formal disciplinary procedures, including dealing with incidents of criminal activity.

2.0 Scope

This policy is designed to deal with Learner Behaviour processes for post 16 learners and serious KS4 (Pre 16 Provision) incidents. Pre 16 provision learners are normally governed by the KS4 Behaviour for Learning Flowchart document which includes multiple levels of behavioural intervention and support. The document is reviewed annually in agreement with sending institutions and is designed to deal with KS4 disaffected learners. In all cases of exclusion or likely exclusion this policy and procedure is to be used.

This policy applies to all learners. The College may choose to apply it at any time during the academic year, whether or not incidents occur during college term time or on College premises.

Annual monitoring will be conducted of demographic groups to pinpoint any groups that may be over-represented in the learner behaviour process.

3.0 Higher Education courses

Where learners are on courses delivered as part of validated or franchised programmes with a partner institution, learners are subject to the terms of this policy and not that of partner institutions. In this document the College makes a distinction between "misconduct" and "gross misconduct."

Examples of Misconduct although not an exhaustive list:

- Zero tolerance to weapons
- Breaching the Learner Behaviour Agreement or any other policy set by the College
- Threatening language
- Racist, sexist, religious, disability remarks and language including online
- Disruptive or disobedient behaviour
- Swearing or spitting
- Persistent absence or unauthorised lateness

- Regular failure to attend lessons correctly equipped
- Persistent failure to meet deadlines or complete coursework

Examples of Gross Misconduct:

- Any action which places learners or staff in physical danger or in breach of the law
- Violent behaviour
- Use or possession of illegal substances or alcohol
- Theft, vandalism, forging signatures to fraudulently obtain money
- Attempting to enter the College premises when suspended
- Bullying, harassment, or intimidation including online both on and off college sites
- Abuse of College property
- Plagiarism or cheating in examinations/assessments
- Breach of the ICT Acceptable Use Policy – accessing inappropriate material online

4.0 Responding to behaviour issues in the first six weeks of the academic year (probation period)

If a learner is found to be in breach of the Learner Behaviour Agreement persistently during the first six weeks after their enrolment, the College reserves the right to terminate their studies with immediate effect. The learner should be given appropriate guidance and support through this period in order to make improvements. If the learner fails to achieve appropriate improvement, the Manager is entitled to cancel the learner's enrolment at any time during the first six weeks of study, without recourse to the behaviour procedure. Learners in this position will be notified in writing by the Curriculum Manager if their enrolment is terminated.

5.0 Stages in the learner behaviour procedure

Poor behaviour and under-performance by learners should be managed informally in the first instance. Learners should be set clear targets, including behavioural targets, and given informal warnings and deadlines for improving their performance by their learning manager and subject teachers. They should receive praise, encouragement and a Positive Performance Comment in EBS, when they are successful in achieving improvements. If a learner fails to make improvements the following disciplinary stages must be followed. Each stage is described in detail in the Learner Behaviour Procedure. Cases of misconduct can proceed straight to Stage 2, and in the case of possible gross misconduct, should proceed straight to Stage 3.

0 Stage 1 – First recorded warning with written agreement of way forward

0 Stage 2 - Written Warning and Behaviour Management Meeting

0 Stage 3 – Behaviour Management Hearing

Learners' entitlements

The learner has the right to:

- Understand the Learner Behaviour Management Procedure and the Learner Behaviour Agreement, which is included in their induction process.
- Support in understanding the Behaviour Management Procedure.
- Be notified in writing before a Stage 2 or 3 Behaviour Management hearing.
- Bring a parent/guardian or friend (fellow learner, College staff, support worker, signer, or

language interpreter) to any Stage 2 or 3 hearing to support the learner in understanding, clarifying any issues or points and answering any questions raised during the hearing.

- See any documentation used during Behaviour Management hearings, although names of witnesses may be concealed to protect the witnesses, at the discretion of the chairperson.
- Receive formal communication of the outcome of management action not more than five days after the Behaviour Management hearing has taken place.
- Appeal against exclusion.

“Cause for concern” and “good performance”

If a Manager/Teacher/Tutor is concerned about a learner’s performance, they should complete a Cause for Concern on EBS and inform the learner and the Curriculum Manager. If the learner needs to access Additional Learner Support, (ALS) then the Curriculum Manager should contact the ALS team for a diagnostic interview.

All Cause for Concerns should result in a discussion between the learner and a member of staff. If a learner receives three Causes for Concern, they should normally be placed on stage 1 of the Learner Behaviour Procedure.

At the point of 3 causes for concern in 1 term, the learner is moved to stage 2.

Teachers and personal tutors should make note on EBS of good performance, to acknowledge when learners are doing well and inform the learner.

The role of the Curriculum Manager, Teachers and Personal Tutors

The teacher/personal tutor is responsible for maintaining the ILP on EBS. including regularly monitoring and recording progress against target grades and setting SMART targets with the learner and signing them off when achieved. Also, they should keep copies of all letters, forms, outcomes, and agreements relating to the disciplinary process for a learner within the Course file. The Teacher/personal tutor is responsible for coordinating all communication with the learner and other subject teachers during the Learner Behaviour procedure.

Curriculum Managers will ensure that outcomes are communicated following any Learner Behaviour hearings by attaching outcomes letters to the relevant disciplinary meeting created in EBS and adding the following staff to that meeting:

- Subject teachers.
- Personal Tutor
- ALS staff and other support workers linked to the learner.

Dealing with misconduct

Initially misconduct will result in support for the learner, using a “Cause for Concern” and referring the Learner to Support Services as appropriate. In Stage 1 of the Learner Behaviour procedure, action may be involved along with support. Persistent failure to improve performance (three cause for concerns in one term) or a breach of the Learner Behaviour Agreement will lead to Stage 2 Learner Behaviour action. Repeated breaches or a single act of gross misconduct may result in a learner being suspended or excluded from the College via the Stage 3 Learner Behaviour process.

“Cool Off” Intervention - As part of the stage 1 process managers may opt to utilise a 24 hour “Cool off” intervention. This can be used at any manager’s discretion where minor misconduct or anti-social behaviour has occurred, and a 24-hour cool off period may prevent further escalation. This should not be used as an alternative to suspension. The cool off intervention should be recorded in the learners

ILP as a cause for concern and the Curriculum Manager informed whenever the intervention is used.

Where a learner is issued with a Cool Off intervention, they should be asked to leave the site immediately and not return until the following day. Their ID badge should be removed and retained at the front reception to be retrieved the following day from security in order to regain access to site.

If the learner fails to attend a learner behaviour meeting or hearing a decision can be made in their absence. The learner will be notified of the outcome within five working days. Parents/guardians/key workers (for Pre 16 KS4 learners a school representative must be invited) of learners who are under the age of 18 must be invited to Stage 2 and 3 hearings.

In a case where the learner may pose a significant threat to learners or staff, the College reserves the right to conduct a Stage 3 Learner Behaviour hearing off-site or online. Threats to members of staff should be taken seriously and lead to immediate suspension, until the date of a Stage 3 Learner Behaviour hearing.

Where there has been a victim of gross misconduct, the victim must provide a written witness statement and may be invited to attend the Stage 3 Hearing as a witness at the Chair’s discretion. They should also be informed of the outcome of the Hearing by the chairperson.

Suspension

If a manager suspects a learner is guilty of gross misconduct or repeated acts of misconduct, they can ask the learner to return their I.D. card and leave the premises pending further investigation. The learner should be informed that they may not re-enter the College premises until notified.

If a learner is suspended the curriculum manager must be informed immediately, given the I.D. Card and provided with a log of the incident that has resulted in the suspension, using Conduct Report Form (see appendix 1 in Learner Behaviour Procedure). The learner should be sent a formal notification of Suspension by the Curriculum Manager (see appendix 5 template notice of suspension letter in Procedure) informing the learner when they may return to college.

Parents/guardians of learners who are under the age of 18 or have an EHCP must be informed by the Curriculum Manager if the learner is suspended.

Learners between the ages of 14 and 16 should not be instructed to leave the premises unescorted. They should instead be sent to the Curriculum Manager for Pre 16 KS4 who will contact the relevant sending Secondary School staff and parents/guardians.

An email regarding the suspension should be sent by the Curriculum Manager to the Vice Principal Information Services who will update EBS and ICT access, and Assistant Director Estates who shall notify security and reception staff.

In cases of possible gross misconduct, the learner will usually be suspended until the date of the Stage 3 Hearing. Suspension should be for no more than 5 working days or until the outcome of a Learner

Behaviour hearing. Online meetings can be used for the Learner Behaviour process when it is not possible to hold the meeting at college.

6.0 Involvement of the police

The College reserves the right to involve the police and pursue the legal process if a learner is found to be in breach of the law. A Senior Manager should be consulted before the police are involved unless the incident is an emergency situation in which case a Senior Manager should be informed as soon as possible.

If the police are required to escort a learner from the premises as a result of dangerous or threatening behaviour, the offending learner is automatically suspended for as long as it takes the police to complete their investigations. The College maintains a zero-tolerance approach to weapons, drugs, and violence. Cases of witnesses' assault or drug use must lead to immediate suspension until the date of a Stage 3 Learner Behaviour hearing. If the College is forced to request police intervention, a report of the incident should be placed in the learner's file.

Where the Police are involved but a prosecution is not made through lack of evidence, the college may still follow its own Learner Behaviour procedures which could lead to the learner being excluded from college. Furthermore, a learner could face disciplinary action for offences committed outside of college.

7.0 Excluded learners

Only Managers acting on behalf of the Principal have the authority to exclude a learner from the College.

All actions and decisions relating to exclusion should be stored in the Learner File and on EBS. The Manager excluding the learner is responsible for informing relevant parties such as parents and employers. The timescale of the exclusion must also be made clear to relevant staff. When a learner is excluded from college, either as a learner or a visitor, this should be reported to the Heads of Student Support, ICT and Estates who will notify security and reception staff and add a note to the College learner record system.

Information of how a learner may appeal an exclusion can be found in the Learner Behaviour Procedure. Excluded learners may reapply to the college in the following academic year. The facts of their exclusion will be available to those conducting the interview and will be taken into consideration before a place is offered.

8.0 Associated Policies:

To be read in conjunction with:

- The Attendance Strategy and Policy.
- The Fitness to Study Policy.

9.0 Monitoring and Review

This policy will be reviewed annually.