

Student Behaviour Policy and Disciplinary Procedure

The
Hexagon
Student & Learning Centre



LANCASTER & MORECAMBE COLLEGE

Date: September 2023



Lancaster &
Morecambe
College

Policy name: Student Behaviour Policy and Disciplinary Procedure

Policy Owner:	Head of Performance and Improvement
Date of Review:	August 2023
Date Approved:	September 2023
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Responsibility for Review:	Vice Principal: Progress and Performance
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Applicable to staff:	Yes
Applicable to students:	Yes
Published on website:	No
Published on intranet:	Yes
Notes:	

Student behaviour policy and disciplinary procedure

Our Purpose

Creating opportunities and building partnerships across our community; empowering individuals, business and the environment to thrive

LMC Values

Community – caring, collaborative and inclusive

Opportunity – accessible, aspirational and transformative

1. Introduction

Lancaster and Morecambe College is committed to providing a safe, supportive, and respectful environment for all learners, staff and visitors.

To achieve this, we aim to create a welcoming, caring environment where learners are supported to develop positive behaviours, attitudes and self-confidence that enables them to make an effective contribution to the college community, their local communities, the workplace and wider society in general.

2. Purpose

2.1 The purpose of this Policy is to ensure the safety of learners, staff and visitors and to provide guidance on the immediate actions to take following incidents affected by poor behaviour. The policy is based on the principle of 'acceptable behaviour', with rules to ensure safety and a spirit of co-operation within a large community. Learners should show respect for other learners and staff and act in a polite and mature way. It is important for individuals to be able to learn, to be able to teach and to be part of the College community without fear of:

- disruption of, and interference with, learning
- actual or threatened violence from others
- child on child abuse
- harassment, including sexual harassment, or harassment on the grounds of race, religion, belief or disability
- illegal substances or alcohol being made available
- being exposed to smoking or vaping out of a designated area
- criminal behaviour (e.g. theft and the carrying of offensive weapons)
- deliberate damage to property

2.2 This will be achieved by:

- Ensuring that learners and staff receive the appropriate information and guidance in order to implement the student behaviour policy.
- Having college values and expectations displayed around college.
- Creating a culture of positive behaviour (see Positive behaviour strategy) in an environment where learners can thrive by adhering to the student code of conduct/learner agreement.
- Applying consistency and fairness when addressing issues of poor behaviour that contravenes the student code of conduct/learner agreement
- Enabling learners to understand, take control and be responsible for their own behaviour in order to be responsible citizen both within the college environment, work place and wider communities.

2.3 Clear disciplinary guidance that helps and encourages all learners to understand the College expectations, achieve and maintain acceptable standards of behaviour, conduct and academic performance. It is also intended to provide clear direction to all staff in order to ensure consistent and fair treatment in relation to disciplinary action taken in response to allegations of unacceptable conduct or performance.

2.4 The aim will be to prevent an escalation of sanctions that may result in permanent exclusion. Learners, whose behaviour demonstrates they are not responding may be permanently excluded. Learners, Apprentices and parents should be aware that the Principal may also act under this policy in cases where unacceptable behaviour occurs in the immediate vicinity of the College, or on a journey to or from College, and there is a clear link between the behaviour and maintaining good behaviour and discipline among the student body as a whole or damage to the College reputation.

2.5 This policy is based on the principles of clarity, consistency and fairness. The sanctions normally used by the College will be in proportional steps, depending on:

- the seriousness of the misdemeanour
- the student's previous behaviour record
- the age of the student
- the effect of the misdemeanour on other students and/or staff in the College
- the application of ACE's and a trauma-based approach

3. Scope

3.1 This policy applies to everyone in our college group including all students, staff and subcontractors and it should be read, understood and adhered to, alongside the policies and procedures listed in Section 4.

3.2 Procedures outlined in the policy apply to all learners of the College on full or part-time study, adults or apprenticeship programmes of learning. This includes: on-site at the College, off-site, in community facilities, in the vicinity of the college, travelling to and from College, on a College organised trip, placement or event. The policy and procedures also apply when behaviour beyond normal College related activities has a detrimental impact on others from the College e.g. online bullying or on programmes delivered off campus sites.

3.3 The policy also includes Higher Education (HE) learners where the College will also adhere to the policies and procedures of the respective HE Institutes.

4. Related Policies

Documents related to this policy are:

- Student code of conduct/learner agreement
- Positive learning behaviour strategy
- Induction process
- Tutorial policy
- Reporting procedures
- Malpractice and plagiarism policy
- Safeguarding policy
- Safer College Community Guidelines
- Drug and Alcohol – Zero Tolerance

5. Roles and Responsibilities

In order to support the implementation of this policy the roles and responsibilities of learners, managers and staff are outlined below.

It is the responsibility of All Students to:

- Comply with the student code of conduct and sign a learner agreement.
- Report any inappropriate behaviour to a member of staff or using report it button on student hub.
- Be aware that disciplinary action may be taken as a consequence of not adhering to the student code of conduct.

It is the responsibility of All College Staff to:

- Be aware of the student behaviour policy and disciplinary procedure and associated documents, particularly the student code of conduct.
- Ensure the student code of conduct and expected behaviours are clearly communicated and understood by learners.
- Actively promote positive behaviours both in and out of lessons.
- Address incidents of poor behaviour as they occur on college premises and/or within any learning environment.

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- Report and/or record incidents of poor student behaviour promptly using the report it button on the staff hub and/or on EBS, whichever is applicable to your role and relationship to learner(s) involved.
 - Attend training and updates as required.

It is the responsibility of Tutors/Co-ordinators/Assessors/Technicians (where applicable) to:

- Ensure the student code of conduct and learner agreement is included in all learner inductions in order to raise awareness of expectations from the onset of their learning.
- Ensure all learners read, understand and agree to adhere to the student code of conduct by way of a learner agreement.
- Make all learners aware of the potential consequences of not adhering to the student code of conduct.
- Record all concerns, discussion and decisions on EBS.

It is the responsibility of the Curriculum Management and Senior Leadership Teams to:

- Be aware of and comply with policy, procedures and all associated documents.
- Be pro-active in the promotion of positive behaviours with learners.
- Implement related college policies and procedures, for example the student disciplinary procedure fairly and consistently.
- Support all college staff when undertaking activities to address and promote positive behaviours.
- Record all concerns, discussion and decisions on EBS.

It is the responsibility of the Pastoral Team to:

- Support managers and staff in the implementation of the student behaviour policy.
- Provide support for students (where needed) in aspects of improving behaviour, for example behaviour management, listening service, signposting to appropriate agencies etc.
- Record all concerns, discussion and decisions on EBS.

It is the responsibility of the Estates and Safety Team to:

- Have a physical presence on main site, in particular corridors and other communal areas in order to support learners to develop positive and constructive relationships that enhance their personal and social education, enabling them to fully participate in college activities
- Positively challenge and employ intervention and de-escalation tactics when dealing with issues of poor learner behaviour and attitude.
- Work co-operatively with Curriculum Management Team to actively promote positive behaviour and record where possible incidents of poor behaviour.

It is the responsibility of the Performance and Improvement Team through quality assurance activities to:

- Identify areas of best practice or areas in need of development in relation to student behaviour management in classrooms and work with Senior Leadership Team to ensure relevant CPD opportunities are provided as required.

6. Record Keeping

All concerns, discussions and decisions made about student behaviour and the reasons for those decisions will be recorded centrally on EBS. Where appropriate entries can be marked as sensitive and/or have limited access to ensure discretion.

If there is a complaint about the conduct and/or investigation of matters involving student behaviour, the normal college complaints policy will apply.

Any records on EBS should be factual, concise and avoid any personal judgments or comments.

7. Immediate action guidance

GUIDANCE No. 1 POLICE NOTIFICATION

Introduction

The purpose of this guidance is to detail the process to be followed in notifying the authorities.

Actions

1. The Estates or Safeguarding team will normally be responsible for notifying the police.
2. However, if no-one from the Estates team are available and 'you' consider that there is sufficient cause for concern regarding an immediate threat to the health or safety of any persons, or of physical assault: -

Notify the police immediately on 999 or Lancaster 63333.
3. Inform the Police of:
 - Who you are
 - Your location
 - Brief facts (why you phoned)
4. Act on any instructions from the police
5. Notify Reception of the incident.
6. Reception to notify the Estates/Site Supervisor/Site Warden that the police have been called. Inform SMT.
7. Report the incident to the police on arrival.
8. Ensure the incident is reported via EBS

GUIDANCE No. 2 INCIDENT RESPONSE

Introduction

The purpose of this guidance is to detail the steps to be taken by the member of staff first on the scene.

Actions

1. Notify Reception who can then notify Estates/Site Supervisor/Site Warden.
2. Where confident and competent attempt to defuse the situation.
3. Record the following information:
 - Names of persons involved
 - Names of any witnesses
 - Location, time, student's course
 - Brief description of incident
 - Your name.
4. Notify the Programme Area Manager(s) and SMT.

GUIDANCE No. 3
NOTIFICATION OF NEXT OF KIN/PARENT/CARER

Introduction

The purpose of this guidance is to acknowledge the moral obligation to keep parents, carers, next of kin informed of any injury or traumatic shock which could seriously affect the health and well-being of a learner. It is also necessary to contact the parent of a learner under 18 (at start of programme) if disciplinary action is being instigated and if relevant their school or care agency.

Actions

The PAM has responsibility for contacting parent/carer/next of kin. They may choose to delegate responsibility to a middle manager where they feel this would be more supportive to the victim or the victim's family.

Under 18 at start of programme

Unless there are contra-indications parents/carers/next of kin must be informed where there is sufficient cause for concern regarding the injury or traumatic shock.

Over 18 at start of programme

The PAM will only contact the next of kin with the permission of the person concerned, unless the victim is incapable of giving informed consent.

GUIDANCE No. 4
MONITORING UNAUTHORISED/SUSPICIOUS PERSONS

Introduction

Any member of staff should feel able to offer help and advice to an unauthorised person on College property and direct them to Reception for further assistance. The purpose of this guidance is to detail the actions to be taken if a person is then seen to be acting suspiciously.

Actions

1. DO NOT approach the person, where possible remain a suitable distance (20+m) from them and try not to be noticed.
2. Notify Reception who can then notify the Estates Manager/Site Supervisor/Site Warden.
3. The Estates Manager/Site Supervisor/Site Warden should monitor the person from a distance and if THEY consider the person to be potentially dangerous then they should notify Reception to contact the police (see Guidance 1).
4. The Estates Manager/Site Supervisor/Site Warden should continue to observe the person until the Police arrive.
5. If possible the Estates Manager/Site Supervisor/Site Warden should try to write down a description of the person, including:
 - Distinguishing marks
 - Clothing worn
 - Colour of skin or hair
 - Approximate age
 - Height
6. The Estates Manager/Site Supervisor/Site Warden should report to the Police on their arrival.

GUIDANCE No. 5
SECURING SAFETY OF LEARNERS

Introduction

The purpose of this guidance is to detail the process to be followed in securing the safety of learners within classrooms in the event of them being in danger.

Actions

1. In the event of threat to the safety of learners in classroom attempt to notify Reception. Make use of a mobile phone when available
2. Reception will notify Estates Manager/Site Supervisor/Site Warden by radio, that immediate physical presence at Reception is required.
3. If necessary, the Estates Manager will notify SLT with the following instructions:
 - Verbal report about security incident and action to be taken
 - Areas/rooms to visit to notify of incident.

8. Disciplinary Procedures

There will be occasions when the behaviour of a learner is unacceptable and action will need to be taken. The following explains the procedure the College will adopt.

- The procedure is designed so that the learner is treated fairly and consistently.
- All members of staff have a responsibility to ensure that learner discipline is maintained.
- Generally, a class tutor or Assessor/Co-ordinator will be the first person to identify a potential problem and it is their initial responsibility to take appropriate steps to resolve the issue. If the issue remains unsolved, the learner or apprentice will be referred to the course tutor/co-ordinator and the formal process may begin.
- When the formal process has commenced, any written documentation/evidence may be used in resolving the issue. Wherever possible, the names and addresses of witnesses/complainants will be kept confidential.
- Any interference with/pressure placed on other learners/apprentices will automatically be taken as an acknowledgement of guilt and will result in moving the process to the final stage.
- There are several formal stages in the process.
- The procedure can be entered into at any stage, depending on the severity of the issue. If in doubt as to which stage the process should be entered, course tutors/co-ordinators are asked to discuss the situation with their Programme Area Manager/Line Manager or Director of Curriculum and Innovation.
- At any stage when action can lead directly to expulsion from the College, the learner/apprentice or prospective learner/apprentice has the right to be accompanied by another person at the interview and at any subsequent appeal.
- Examples where disciplinary action will be taken are:
 - persistent lateness
 - persistent absence from class
 - persistent late assignments
 - persistent refusal to wear lanyard

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- general misbehaviour and causing disruption to staff and/or students
 - smoking or vaping in undesignated locations
 - bad language
 - theft
 - fraud
 - non-compliance with the College's health and safety procedures
 - misuse of College property and premises
 - malpractice and/or plagiarism
 - computer hacking (including misuse of e-mail and intranet)
- Examples of gross misconduct include:
- possession of alcohol or drugs (including 'legal highs') on College premises (this includes College trips and visits, both in the UK and abroad)
 - causing damage to College property
 - violence
 - possession of offensive weapons
 - using or being under the influence of alcohol or drugs (including 'legal highs') on College premises (this includes College trips and visits both in the UK and abroad)
 - sexual and/or racial harassment
 - unlawful discrimination
 - bringing the reputation of the College into disrepute
 - serious misuse of the College's property or name
 - serious insubordination
 - irresponsible conduct of a nature likely to endanger the health and safety of the individual or others

STAGE 1

Course Tutor/Assessor Level

The first stage in the process is for the course tutor/assessor to meet with the learner/apprentice. The learner/apprentice must be made aware of the reason for the meeting. The aim is to discuss the issues of concern and for both the tutor/assessor and the learner/apprentice to consider each other's point of view.

When the issues/concerns have been recognised by both parties, action to resolve the issues must be agreed. This may be the end to the matter, but if not, it must be made clear to the learner/assessor that a verbal warning is being given and a date for a follow up meeting must be set (within fourteen days) to review the situation. If no satisfactory outcome is achieved, the matter will be referred to the Programme Area Manager/ Co-ordinator where more formal steps will be taken.

A note must be placed on the student's pastoral log that the meeting has taken place, a verbal warning has been issued and the date of the meeting – see verbal warning form (VerbWarn). Verbal warning forms will be sent to department administration to be recorded as a pastoral entry and sent to parents/guardians where the learner was under 18 at the start of the programme. If the learner is an apprentice, a letter may be sent to their employer.

Usually, students receiving a second verbal warning will progress to Stage 2 if a further offence occurs.

STAGE 2

Programme Area Manager/Co-ordinator

If the offence is serious or the learner's/apprentice's conduct or performance is still unsatisfactory, the Programme Area Manager or Co-ordinator, in the presence of the course tutor/assessor and parent(s)/guardian(s) if the student is under 18, will interview the learner/apprentice and review the situation.

The Programme Area Manager or Co-ordinator may issue a written warning which details the issue(s) and states clearly that if the issue(s) are not corrected at this stage, the matter will be referred to the Director of Curriculum and Innovation – see written warning form (WritWarn).

The warning will be recorded as a pastoral entry. If the learner/apprentice is aged under 18 at the start of the programme, a letter will be sent to the parent or guardian. If the learner is an apprentice, a letter may be sent to their employer.

STAGE 3

If a learner/apprentice's conduct is still unsatisfactory or his/her conduct is serious enough to move straight to a final written warning, the Programme Area Manager or Co-ordinator will interview the learner or apprentice in the presence of parent(s)/guardian(s) if the learner or apprentice is under 18. The Programme Area Manager or Co-ordinator will review the situation and may issue a final written warning – see final written warning form (FinWarn).

The warning will be recorded as a pastoral entry. If the learner/apprentice is aged under 18 at the start of the programme, a letter will be sent to the parent or guardian. If the learner is an apprentice, a letter may be sent to their employer.

A learner or apprentice guilty of gross misconduct can be suspended for up to a maximum of one week by the Programme Area Manager or Co-ordinator or any member of College's Senior Management Team.

All such cases must be immediately reported in writing (with all relevant documentation) to the Director of Curriculum and Innovation and Vice Principal Progress and Performance.

Suspended learners or apprentices must attend a disciplinary meeting with the Programme Area Manager or Co-ordinator and parent(s)/guardian(s) if the student is under 18 on return from suspension. Learners/apprentices have the right of appeal.

The Director of Curriculum and Innovation and Vice Principal Progress and Performance, will rely on the discretion of the Programme Area Manager/Manager in referring matters. When the procedure has reached this stage, it will be seen as extremely serious.

STAGE 4

Director

The Director of Curriculum and Innovation will interview the learner/apprentice with his/her parent(s)/guardian(s) and Programme Area Manager or Apprentice Manager. The full case will be reviewed. A decision relating to further action will be made.

Should a learner or apprentice not attend the meeting with the Director of Curriculum and Innovation, a decision may be taken in his/her absence.

The meeting and any decisions made will be recorded as a pastoral entry. If the learner/apprentice is aged under 18 at the start of the programme, a letter will be sent to the parent or guardian. If the learner is an apprentice, a letter will be sent to their employer.

NOTES:

- There may be occasions to exclude learners/apprentices or prospective learners/apprentices who are not enrolled and where it is not possible to go through the disciplinary route. All such exceptions must be reported to and a decision take by the Senior Leadership Team. This will include the Director/VP meeting the learner/apprentice/prospective learner/apprentice with the appropriate Manager, explaining the reasons for his/her exclusion and giving the student/prospective student chance to explain his/her actions/behaviour.
- Director of Curriculum and Innovation may exclude a student from College.
- Learners or apprentices or prospective learners or apprentices will be informed of their exclusion.

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- CIS and Student Services to be informed to add to exclusion list (pending possible appeal).
 - If someone who is on the exclusion list attempts to enrol, they must be referred to the Director, Vice Principal or the Principal.

STAGE 5

Appeals Procedure

Every learner or apprentice has the right of appeal against a decision of a learner /apprentice disciplinary meeting.

Where a learner or apprentice wishes to appeal, she/he has to appeal within five working days from the date of receipt of the written confirmation of the decision of the disciplinary meeting. An appeal will be heard as soon as is reasonably practicable.

The appeal will be considered only on one or more of the following grounds:-

- That injustice is alleged;
- That the decision reflects excessive harshness;
- That there is ambiguity in the decision

The learner or apprentice must submit their appeal in writing stating on which of the above grounds the appeal is lodged:

- i) To the Programme Area Manager or Apprenticeship Manager in the case of the written warning; or
- ii) To the Director of Curriculum and Innovation in the case of final written warning or suspension; or
- iii) To the Vice Principal/Principal in the case of exclusion

Learner/Apprentice Discipline Appeal Form

Notification of the Hearing

The learner or apprentice will be sent, not less than five working days before the date fixed for the appeal, a letter informing him/her:

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- of the date, time and location of the appeal hearing;
 - that it is the learner's or apprentice's duty to supply copies of any document(s) to be used in evidence at the hearing;
 - that he/she can be accompanied by another learner or parent/guardian/carer.

Unless notified otherwise, the College shall send the letter to the learners/apprentices last recorded term-time address.

The Appeal Hearing

For the hearing the learner or apprentice has the right to attend, and to be accompanied by another learner/parent/guardian/carer if she/he so wishes, and to be heard by the:

- i) Programme Area Manager or Apprenticeship Manager and another member of staff not involved in the investigation or disciplinary meeting, in the case of a written warning, or
- ii) Director and another member of staff not involved in the investigation or disciplinary meeting, in the case of a final written warning or suspension; or
- iii) Vice Principal/Principal and another member of staff not involved in the investigation or disciplinary meeting, in the case of exclusion

The College can have in attendance such witnesses as necessary.

The learner or apprentice can have in attendance such witnesses as necessary.

The i) Programme Area Manager/Apprenticeship Manager or ii) Director or iii) Vice Principal/Principal may rescind, modify or uphold the decision made at the disciplinary meeting and the penalty imposed.

The decision is final.

Notification of the outcome

The learner or apprentice will be informed in writing of the decision as soon as possible after the hearing.

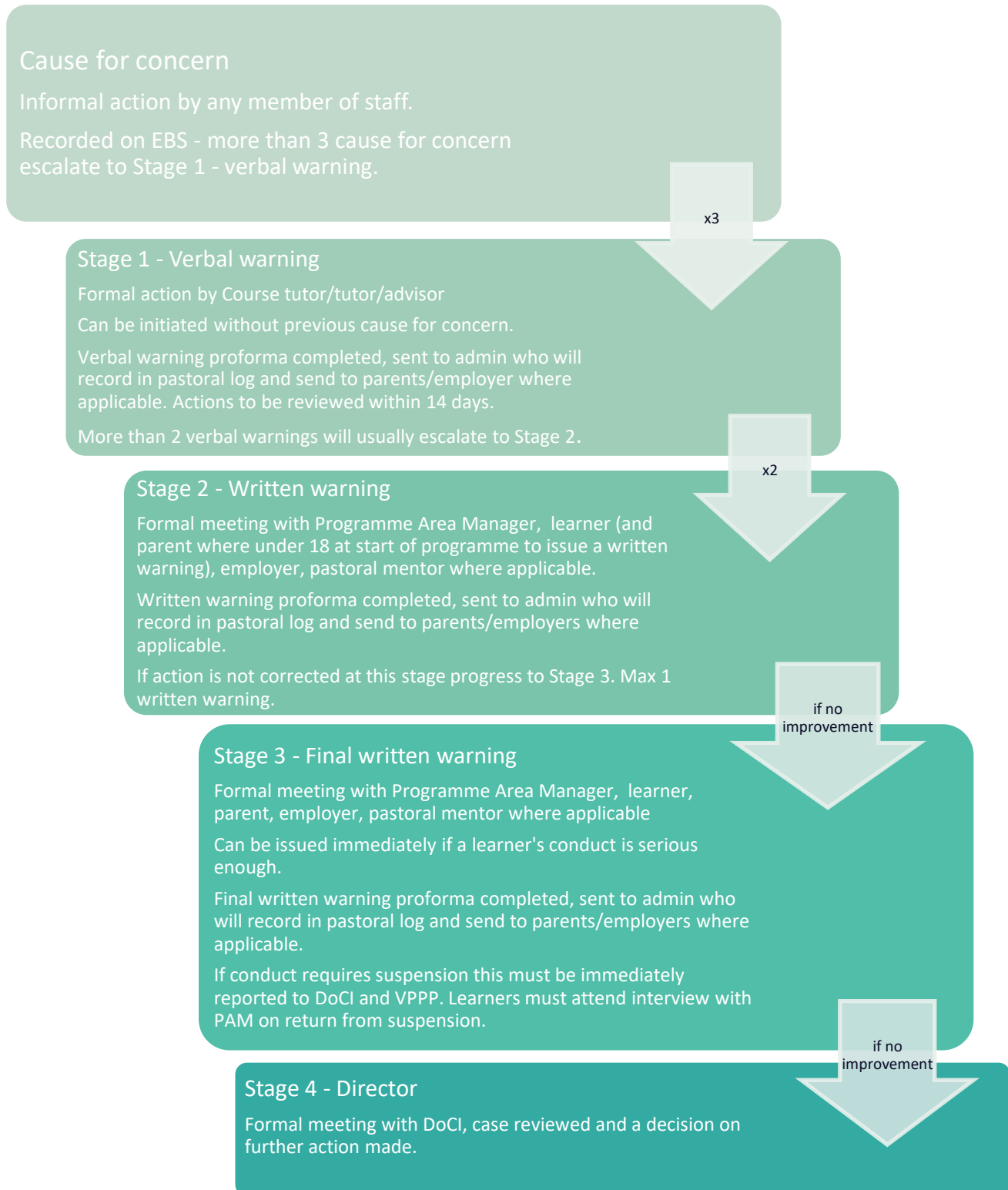
TIME LIMITS

If excluded, the length of time will be determined by the Director, Vice Principal or the Principal.

NOTES:

- CIS/Student Services/Estates/Admissions/ Programme Area Managers must also be informed of any decision made at this stage.
- Any learner or apprentice owing money and/or supplies to the College will not be allowed to re-enrol and will have his/her certificate withheld until the money/supplies have been repaid.
- A learner or apprentice who has been excluded may be re-admitted after the time has elapsed but only after an interview with the Director, Vice Principal or the Principal.
- All forms and letter templates relevant to this policy can be found in the 'Forms' section of the Hub.

Summary of Disciplinary process



Stage 5 – Appeals procedure – an appeal can be made within five working days from the date of receipt of the written confirmation of the decision of any disciplinary meeting (see section 8).

Part 1: Initial Screening for Equality Impact Assessment (including

Safeguarding)

To be completed prior to a Policy or Procedure being introduced and at each review

Name of Policy / Procedure: Behaviour and disciplinary policy			
Is this a new or existing policy / procedure?		<input checked="" type="checkbox"/> New	<input type="checkbox"/> Existing
<p>1. To ensure that the policy / procedure complies with the Equality Act 2010, which of the listed categories could be impacted by the policy / procedure? <i>(The categories follow the College Single Equality Scheme and the impact could be positive or negative.)</i></p>			
<input checked="" type="checkbox"/> Age	<input type="checkbox"/> Compliance with Children and Families Act 2014	<input checked="" type="checkbox"/> Disability	<input checked="" type="checkbox"/> Gender
<input checked="" type="checkbox"/> Gender Re-Assignment	<input checked="" type="checkbox"/> Marriage / Civil Partnership	<input checked="" type="checkbox"/> Pregnancy / Maternity	<input checked="" type="checkbox"/> Race / Ethnicity
<input checked="" type="checkbox"/> Religion / Belief	<input checked="" type="checkbox"/> Sexual Orientation	<input checked="" type="checkbox"/> Socio-Economic	
<input type="checkbox"/> All of the above	<input type="checkbox"/> None of the above expected		
2. What are the risks of introducing this policy / change to any of the above groups?			
3. What are the expected benefits of introducing this change to any of the above groups?			
Further clarify the Colleges' approach to unacceptable behaviour and ensure learners and staff feel safe and accepted on campus.			
4. Are there any areas or issues that could impact on the safety of staff or learners?			
5. What evidence do you have for your responses to questions 2, 3 and 4? <i>(e.g. evidence could be provided to counteract identified risks and, therefore, a full screening would not be required)</i>			
Learner surveys, SCC EDI report			
6. What is the level of risk for the policy / procedure?		<input type="checkbox"/> High	<input type="checkbox"/> Medium <input checked="" type="checkbox"/> Low
7. Is a Full Screening Impact Assessment required?		<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No <i>(complete Part 2 overleaf)</i>
Date of Review: 29.8.23			
Reviewer's Name: Natalie Ashworth			
Reviewer's Job Title: Head of Performance and Improvement			