



BEHAVIOUR FOR SUCCESS POLICY

2020/21

Part A: Promoting Positive Behaviour

Part B: Disciplinary Procedure

LINKED POLICIES / PROCEDURES

- Drugs & Alcohol Policy
- Anti-Bullying and Harassment Policy
- Safeguarding Adults & Child Protection and Safeguarding Children Policies & Procedures
- Complaints Procedure

Part A: Promoting Positive Behaviour

Vision for Behaviour for Success

‘Bolton College is an environment where we treat one another with respect and fairness; bound by a common set of values that allows for outstanding learning to take place. All members of the College demonstrate exemplary behaviour that enables everyone to achieve their full potential. All feel safe and confident in supporting one another; contributing positively to the College community’

Aim

The Behaviour for Success Policy is designed to support every student throughout their time at the College. The policy aims to promote positive behaviour across the College at all times. We believe such behaviour will produce a climate conducive to learning for all learners.

Outstanding teaching, learning and assessment can only take place in an atmosphere of calm and order in which students are prepared and ready to learn. Students must be clear about their rights and responsibilities as members of the College community; they must know what is expected of them as well as the consequences of not meeting College expectations. All of the College community; staff, students, parents, and governors need to be aware of the policy and be committed to its principles, purpose and how it is applied in everyday College life.

Objectives

- To ensure that students understand that our expectations are a part of their preparation for employment.
- To ensure students know and understand what the College expects of them.
- To help students meet College expectations.
- To provide a transparent, workable and realistic framework for the consistent management of all behaviour-related issues.
- To support the re-engagement of students who have not met College expectations.

Principles

- An understanding and acceptance of the policy by every member of the College is important if the aims of the policy are to be achieved.
- An understanding and acceptance of the importance of the policy and its underpinning core values.
- The Behaviour for Success Policy reflects a partnership between all members of the College.
- The Behaviour for Success Policy is positive in nature and seeks to be preventative rather than punitive in approach and to maximise re-engagement.
- Integral to the policy is the promotion of self-awareness, self-discipline, accountability, personal responsibility, and respect for self and others.
- College expectations will only be achieved by all students if the Behaviour for Success Policy is implemented consistently

The College is fully committed to promoting and celebrating equality, diversity and inclusion and building together an environment where everyone feels safe. We will endeavour to ensure the Behaviour for Success Policy reflects this commitment both in design and implementation

College Staff have an essential role in helping students to meet College expectations. Students should expect staff to consistently do the following:

- Plan and deliver good-to-outstanding lessons which engage and motivate students to achieve.
- Celebrate the success of students.
- Develop positive working relationships with students in their classes.
- Use a range of behaviour management strategies and apply the College Behaviour for Success Policy consistently whilst reminding students of College expectations.

In addition the College will provide:

- A safe environment where everyone feels secure.
- A commitment to fairness, equality of opportunity and respect for all members of the College community.
- Clear processes for listening to student views, handling complaints and addressing any problems we may have in delivering these commitments.

Celebrating Success

College staff should celebrate the success of all students whenever and wherever it occurs in a variety of ways. Focusing on success and positive outcomes is essential in developing a positive culture and ethos across the College including;

Communication

The foundation of this structure is the attitude of the staff in all their dealings with students. This should be based on respect and consideration at all times.

- All staff should give positive feedback to students whenever and wherever possible. 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.
- Where criticism is required it should be focused on specific actions and behaviours, or on work, rather than on students as individuals. It should, whenever possible, be accompanied by indications of how to do better and praise for something well done.
- Staff may use a range of methods to celebrate success examples include; praise postcards, badges and letters of commendation

Recording Positive Behaviour in Promonitor

Select 'Comments and Actions' in the learner Promonitor individual student record and choose "Positive Behaviour" in the drop down menu to record examples where learners have displayed outstanding positive behaviour beyond normal expectations.

Marking and Feedback to Learners

The core of our rewards system is positive dialogue which supports improvement in learning.

- Formal, written feedback and informal commentary should both stress positive achievement. Promptly returned and fully marked work shows that staff have valued the work of students.
- Guidance for future improvement, rather than criticism of submitted work should be the normal approach.

College Awards

For exceptional achievement of any kind, staff should make formal commendations to be awarded at annual awards events.

Part B: Disciplinary Procedure

COLLEGE EXPECTATIONS

All students at Bolton College subscribe to standards of behaviour specified in the Student Handbook and on the back of the student ID card, specifically to:

- Abide by the Behaviour for Success Agreement
- Abide by Bolton College policies, procedures, regulations and guidelines

In addition

- All students will be entitled to advocacy support when subjected to the disciplinary process.
- Any disciplinary action will follow the procedures laid down in the accompanying document(s)
- The student is the responsibility of the programme/curriculum area irrespective of where any alleged offence took place
- The principle underlying the procedures is that the investigation (and subsequent judgement) determines the seriousness of any offence, if found, and therefore the level (or Stage) of warning
- All Behaviour for Success Disciplinary Levels given to learners are to be recorded on the Promonitor system against individual learner records
- Staff will need to choose the individual Learner's Record on Promonitor and choose "Meetings and Referrals" and then select "Behaviour for Success" as Meeting Category and then select the appropriate level of disciplinary level from the Meeting Type drop down list.
- The learner will then need to be flagged with a Behaviour For Success flag at the appropriate level by clicking on Learner Support on the individual student's record in Promonitor and then choosing Risk Indicator from the drop down. Click the blue bar to enable editing and then click the behavior for Success Flag and choose the appropriate level of disciplinary from the drop down. These must also be removed when students have reached the end of their disciplinary period.
- Different levels of disciplinary will be given by different levels of staff – see below
- The Behaviour for Success Policy describes the formal disciplinary procedure; it is the duty of all tutors / learning development mentors (LDM's) to explain this procedure to students as part of their induction and to draw their attention to the disciplinary process outlined in the Student Handbook.

The disciplinary procedure is set out as five incremental stages:

Stage 1: Verbal warning

Stage 2: Formal verbal warning

Stage 3: Written warning (& Amber Contract)

Stage 4: Final written warning (& Red Contract)

Stage 5: Disciplinary Hearing

These stages are recorded in Behaviour for Success Forms in Promonitor

DISCIPLINARY PROCEDURE

Formal disciplinary procedures will only be instigated when informal procedures and interventions have failed to modify behaviour (Appendix 3 outlines some examples of possible misconduct). At all times the four steps of Allegation – Investigation – Hearing – Outcome will be followed. All students are entitled to a fair hearing following the rules of natural justice, (see Appendix 4).

The principle underlying the disciplinary procedure is that there should be no pre-judgement of outcome, but that the investigation / report determines the seriousness of any alleged offence and the hearing determines whether or not there is any case to answer and therefore the level or stage, of any action.

Following any allegation of a lapse in behaviour, a report will be prepared or an investigation conducted, (depending on the seriousness of the allegation), prior to a hearing being held. A student may continue through the stages of the disciplinary procedure by failure to recover his/her position at a previous stage or by continued lapses/incidents. In some cases the seriousness of the incident indicates that it will be treated at a certain level e.g. theft at Level 5.

Disciplinary action can be taken at stages 1- 4 before referral to a member of the Executive Team. However a case may be referred directly to the Executive if, after investigation, the offence is considered serious enough to justify possible suspension or exclusion. In the case of serious misconduct such as violent behaviour, assault, drug dealing, significant theft, vandalism or criminal act the police should be called and a member of the Executive informed.

Stage 1: Verbal Warning

A LDM/tutor will undertake a hearing with the student and if the allegation is sustained issue a verbal warning in response to any allegation of a lapse in behaviour. The student is entitled to advocacy support. Advocacy support may be requested from Student Services, or the student may be accompanied by a friend or a fellow student if judged appropriate, a verbal warning will be issued. The Behaviour for Success process will be completed and shared with the student at the conclusion of the hearing. The warning will be recorded on the student's file for 12 months.

Stage 2: Formal Verbal Warning

A LDM, tutor, course leader, Curriculum Leader or equivalent will conduct a hearing and if appropriate issue a formal verbal warning. The student is entitled to advocacy support. Advocacy support may be requested from Student Services, or the student may be accompanied by a friend or a fellow student if judged appropriate, a verbal warning will be issued. The Behaviour for Success process will be completed in Promonitor and shared with the student at the conclusion of the hearing. The hearing and the outcome together with the supporting evidence will be logged on the student's file will be recorded on the student's file in SiD for 12 months.

Stage 3: Written Warning

A Curriculum Leader or equivalent will conduct a formal hearing. A member of staff involved in the student's case or the course leader will also be present and the student will be entitled to advocacy support. Advocacy support may be requested from Student Services, or the student may be accompanied by a friend or a fellow student

If judged appropriate, a written warning will be issued. The Behaviour for Success process will be completed in Promonitor and shared with the student at the conclusion of the

hearing. The warning will be deemed as 'spent' at the end of the student's time at College or 24 months after the hearing, whichever is later.

Amber Contract

When a written warning is issued, an amber contract also needs to be issued by the Curriculum Leader (or equivalent) with the student present. This sets out an action plan for improvement for the student which must be populated with some SMART targets; any support to be provided for the student to assist them to meet their targets from College staff (or others) and a review date. The amber contract will be reviewed by staff nominated by the Curriculum Leader, at least once every two weeks until the student meets their targets and the Curriculum Leader is satisfied that the standard of behaviour shown by the student is consistently good. Failure to improve is likely to lead to a Stage 4 disciplinary meeting.

Stage 4: Final Written Warning

A Head of Area or equivalent will conduct the hearing. A member of staff involved in the student's case or the course leader will also be present and the student will be entitled to advocacy support. Advocacy support may be requested from Student Services, or the student may be accompanied by a friend or a fellow student). If judged appropriate, a final written warning will be issued. The Behaviour for Success process will be completed in Promonitor and shared with the student at the conclusion of the hearing. The warning will be deemed as 'spent' at the end of the student's time at College or 24 months after the hearing, whichever is later.

Red Contract

When a final written warning is issued, a red contract also needs to be issued by the Head of Area (or equivalent) with the student present. This sets out an action plan for improvement for the student which must be populated with some SMART targets; any support to be provided for the student to assist them to meet their targets from College staff (or others) and a review date. The red contract will be reviewed by staff nominated by the Head of Area, once each week until the student meets their targets and the Head of Area is satisfied that the standard of behaviour shown by the student is consistently good. Failure to improve is likely to lead to a referral to SMT for a disciplinary hearing.

Stages 1-4

For stages 1-4 of the disciplinary procedure in the Behaviour for Success processes will be shared with the student (if not present at the hearing) parent/carer (if student is 18 or under) and sponsor (apprentices) The record will show what action is necessary for the student to recover their position.

Stage 5: Referral to a Member of SMT

The Executive team and Senior Manager Team (SMT) are responsible to the Board of Governors for the maintenance of student discipline and may suspend or exclude a student on disciplinary grounds. In the case of a serious incident or where appropriate stages of the disciplinary procedures have been completed and satisfactory outcomes have not been achieved, the student will be referred to a member of the executive at stage 5.

A Head of Area, Curriculum Leader or a senior post holder will organise an appointment for the student with a member of the executive or SMT. The Head of Area, Curriculum Leader or senior post holder will provide the Executive (or member of SMT if appropriate) with a written account of stages of the

disciplinary procedures where satisfactory outcomes have not been achieved by the student, or of the reason for direct referral to Stage 5. The Executive member will arrange for an investigation to be made about the alleged misconduct.

The Executive will conduct a formal hearing in the presence of the student and will involve other relevant parties at the meeting. The student will be entitled to advocacy support. Advocacy support may be requested from Student Services, or the student may be accompanied by a friend or a fellow student.

The Executive member will inform the Principal, the Chair of Governors and Student Services Manager of any exclusion as soon as is reasonably possible, through their PA and records of the case and decision will be held on file by the Principalship PA's central file. The Executive member may agree action other than exclusion which will provide the student with the opportunity to 'recover their position' at College. Any student excluded from the College under this policy will not be permitted to re-enrol at any time on a course run by the College without the express permission of a member of the Principal. A time limit may be set by the Executive member for the exclusion to remain in force. The Student Services Manager will inform Estates Manager and MIS team of any exclusions which occur and the period which they are valid for.

Appeals

All stages of disciplinary procedure are subject to a right of appeal by the student. This right must be exercised by the student within 10 working days of the warning being issued. Appeals against stage 1, 2 & 3 decisions should be made in writing and addressed to the head of area. Appeals against stage 4 decisions should be made in writing and addressed to a director. Appeals against stage 5 decisions should be made in writing to the Principal. On receipt of the appeal, the person will hear the appeal and consider all the facts and their decision will be final.

Where a student believed the process has not been followed appropriately, they should refer to the College's complaints procedure.

Records

At each stage in the disciplinary process, the Behaviour for Success process must be followed in Promonitor. Investigating officers should keep their personal notes and any completed Witness Proforma and witness statements collected in the process of the investigation, for a period of six calendar months from the date of the completion of their investigation.

Absence from a Hearing

If a student does not attend a hearing and a reasonable (1) explanation is not offered, then the hearing will go ahead in the student's absence and will be based on the evidence available. The outcome of the hearing will be recorded on Behaviour for Success process in Promonitor and a copy sent to the student and parent/carer. Supporting letters can be found on the Student Services section of the intranet.

Natural Justice

The principles of natural justice must be observed throughout the proceedings. See Appendix 4 for details.

(1) A 'reasonable' excuse in the case of a <18 year old student would need to be supported by evidence from a parent/carer. This could be verbally or in writing and in advance of the scheduled hearing.

Age

Students aged 18 or under: Parents/carers must be informed in writing at all stages of the procedures and copied with all correspondence sent to students. Students aged over 18 should be dealt with directly.

Employers

If an employer wishes to instigate disciplinary action against a student on work experience placement they should inform the Career Coach who will inform the curriculum area and then usual procedures will be invoked.

External Visits (enrichment for example)

If an external organisation wishes to instigate disciplinary action against a student on an external visit they should inform the member of staff responsible for the visit and then usual procedures will be invoked.

Sponsored Students

The employer / sponsor of a student released from work to attend College must be informed in writing at all stages of the procedures and copied with all correspondence sent to students.

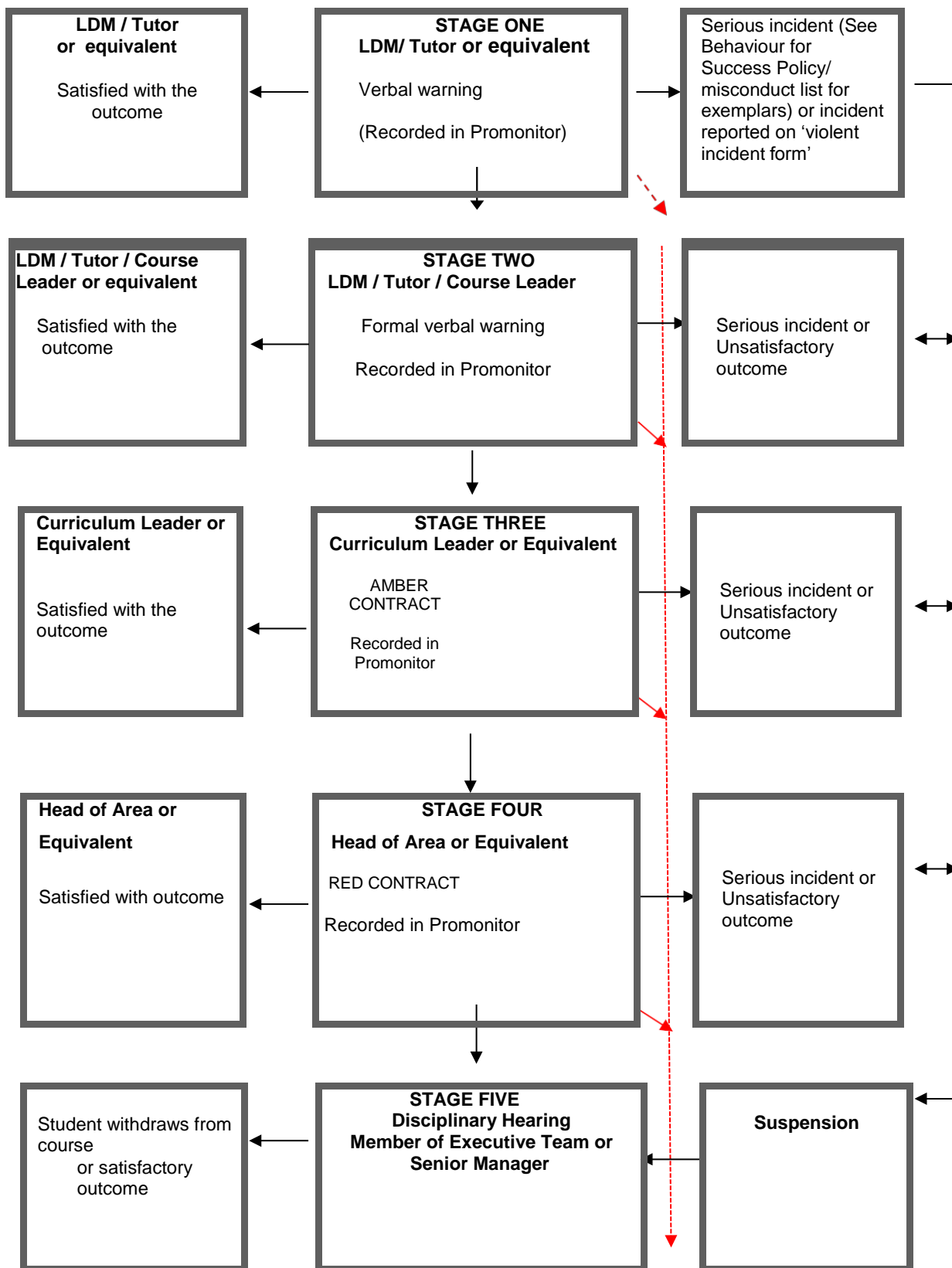
All Students

All students should be given a copy of the policy when action commences. All students have the right to be accompanied by a parent / carer / friend or advocate at any meeting related to disciplinary matters. N.B. Legal representation is considered inappropriate at all stages of these procedures.

Procedures for 14-16 Students

If, in the opinion of a head of area or senior manager, it is necessary for a pupil to leave the premises, the school will be contacted and arrangements made to collect the pupil. In all cases relating to disciplinary issues the college will liaise fully with the school. Judgements made in respect of pupil behaviour will be entirely consistent with the College's Behaviour for Success Policy. Responsibility for any ensuing disciplinary action will remain with the school.

BEHAVIOUR FOR SUCCESS PROCEDURES



Appeals

Appeals from students about decisions made at Stages 1, 2 or 3 should be made to Heads of Area Appeals from students about decisions made at Stage 4 should be made to a Director Appeals at Stage 5 must be directed to the Principal All appeals must be made within 10 working days of disciplinary warning being issued and must be presented in writing.

GUIDANCE ON BEHAVIOUR FOR SUCCESS PROCEDURES

Appendix 2

RULES

The College procedure follows practices in employment where the following are disciplinary offences in the workplace:

- Fighting / physical assault
 - Abusive / aggressive behaviour
 - Breach of health and safety regulations
 - Criminal conduct (including prosecution for criminal conduct where there is reasonable suspicion that a criminal offence may have been committed) Sexual offences
 - Damage to / interference with College property
 - Destruction / alteration to official documents
 - Discrimination / harassment
 - Dishonesty
 - Disobedience / insubordination
 - Extracting articles / scrap / waste from College premises
 - Supply / using / and/or incapacity through drink or drugs
 - Poor timekeeping / attendance
 - Persistently failing to wear ID badges
 - Plagiarism Fraud
 - Smoking in buildings
 - Deliberately disregarding Covid restrictions and requirements
 - Not acting in accordance with College policies, procedures, regulations and guidelines
 - Inappropriate use of the internet or any of the College's computer equipment or facilities and software
- (This list is neither exhaustive nor exclusive)

LEVELS OF ACTION & MINIMUM LEVEL OF STAFF AUTHORISED TO CARRY OUT ACTION

Curriculum leaders / heads of area may at any point authorise a "cooling off period" for the rest of a College day to reduce any tensions which may have arisen or may suspend a learner in order to investigate a serious incident. These should be recorded on the Record of Disciplinary Action (Behaviour for Success records in SID)

If recurrent 'cooling off' periods are being authorised for one student, this could result in further action being taken against them.

Parents /carers of students aged 18 or under who receive a "cooling off period" / suspension should be contacted and notified of this action on the day it takes place and wherever possible, they should collect the student. It is good practice for a curriculum leader / head of area to meet the parent /carer prior to re-admitting the student into College.

- Verbal Warning can be issued by LDM/Tutor
- Formal Verbal Warning can be issued by LDM/Tutor/Course Leader
- Written Warning can be issued by Curriculum Leader
- Final Written Warning can be issued by Head of Area
- Disciplinary Hearing can be issued by a member of the Executive Team / SMT
- Suspension or Cooling Off Period can be issued by Curriculum Leader / Head of Area
- The Student Services Manager must be notified of all suspensions / cooling off periods by CL's or HoA and the period which they cover.
- The Student Services Manager should be notified of all Exclusions by the principal's PA team and the period which they cover.
- The Student Services Manager will notify the MIS team of all exclusions and where appropriate will notify the Estates Manager of exclusions, suspensions and cooling off periods.

NOTES

Where possible, all warnings should be issued in the presence of the said student.

Where possible, action should be witnessed by another member of staff and the student should be offered the opportunity of also having a witness present.

Verbal warnings are kept 'live' on file for 12 months.

Written warnings (and final warnings) 'live' for 24 months

For assistance and support with the procedures contact the Student Services Manager on: 01204 482180

EXAMPLES OF POSSIBLE MISCONDUCT

Misconduct or behaviour which deliberately contravenes College policies will result in disciplinary action being taken against students. The following are examples of misconduct, some of which have varying levels of seriousness (not an exhaustive list). Extremes of misconduct will result in exclusion from College.

Misconduct

The use of rude, insulting, abusive or offensive language.

- Behaviour which obstructs or disrupts activities being held within College
- The distribution or production of offensive literature
- Causing a noise nuisance that affects students, staff, visitors or the local community
- Littering
- Failure to produce appropriate identification on request from any member of staff
- Breach of any publicised regulations/policies e.g. Student Code of Conduct
- Abuse of the College's IT Users Policy including the unauthorised interference with, or misuse of software/data
- Any smoking in non-smoking areas
- Any cheating, plagiarism, or copying the work of other students
- Failure to observe the sanction of any disciplinary actioned under the disciplinary process
- Being late to or consistently absent from class
- Deliberately disregarding COVID 19 control measures and requirements

Lapses Regarded as Serious: (which may lead directly to Stage 5 of the Disciplinary Procedure)

- Physical or verbal assault or threatening behaviour towards another student or member of staff or visitor
- The possession of or dealing in any illegal substances including alcohol (see Drugs & Alcohol Policy)
- The possession of any offensive weapon(s)
- Theft, fraud, deliberate falsification of records
- Deliberate damage to property owned by Bolton College, its staff, students or visitors
- Behaviour likely to be offensive to public decency
- Refusal to follow an instruction of College staff (or emergency services staff) relating to health and safety, or the orderly management of the College's business and its environment
- Behaviour prejudicial to the good name of the College, whether on or off the College premises.
- Inappropriate use of the internet or any of the College's computer equipment or facilities (see IT Responsible Use Policy)
- Behaviour likely to cause a serious health and safety risk to others

GUIDELINES ON THE RULES OF NATURAL JUSTICE

If a member of staff is in any doubt as to the procedure he/she is proposing to adopt he/she should take advice from the Student Services Manager or a senior manager. The rules of natural justice consist of the following elements: The right to a fair hearing; and the rule against bias

The Right to a Fair Hearing

The right to a fair hearing requires that individuals shall not be penalised by a decision affecting their rights or legitimate expectations unless they have been given prior notice of the case against them, a fair opportunity to answer it and the opportunity to present their own case. Each individual must have the opportunity to present their version of the case and to defend allegations made against them. The right to a fair hearing involves the following:

Prior notice of the hearing

Natural justice generally requires that the person charged should be given adequate notice of the allegations against them and of the procedure for determining the alleged breaches of the Rules of Conduct so that they may be in a position to make representations on their own behalf, to appear at the hearing, to effectively prepare their own case and to answer the case against them. The time and location of the hearing must be notified to the person charged.

The opportunity to be heard

The person charged has a right to attend the hearing and be allowed to present their case.

The conduct of the hearing

The conduct of the hearing is a matter to be determined by the member of staff responsible for the conduct of the hearing. The overriding objective that should be borne in mind when deciding how the hearing should be conducted is that the person charged has a proper opportunity to consider, challenge or contradict any evidence, is fully aware of the nature of the allegations against them and has a proper opportunity to present their own case.

The right to representation

The person who is the subject of the hearing has an absolute right to be accompanied by a parent / carer, friend or advocate of their choosing at all stages of the process (see Appendix 6).

The decision and the reasons for it

The member of staff responsible for the decision should give reasons for the decision and the sanctions being imposed.

The Rule Against Bias

The two main aspects of this rule are that a person adjudicating on a dispute must have no pecuniary or proprietary interest in the outcome of the proceedings and must not reasonably be suspected, or show a real likelihood, of bias.

At all times, the member of staff responsible for conducting the hearing must be able to show that, having instigated the investigation, they have conducted a full enquiry into the circumstances involved before making their decision as to whether a breach of the rules of conduct has occurred and, if so, what sanction should be imposed.

There should be no suggestion in the conduct of the hearing that prior to its commencement the member of staff has irrevocably decided the outcome

GUIDANCE FOR ADVOCATES

Every student has the right to advocacy support at any stage of the College disciplinary procedures. The following is written with the intention of providing any such advocate with the information they need to help them carry out their role in supporting the student effectively.

Rights of the Student

A student has the right to appoint a person to act as their advocate at any stage of the disciplinary procedure and any related hearings/interviews. This can be a friend, fellow student or the student may apply to Student Services for advocacy support. The choice of advocate rests solely with the student but legal representation is not deemed appropriate and is not permitted. However, parents/carers and employers /sponsors have the right to be kept informed of any proceedings and to be present at any meetings that take place for students aged under 18.

Rights of Parents/Carers/Sponsors

All parents / carers or Looked After Children social workers (of students 18 or under) have the right to be present at any meeting with the student for whom they are responsible, similarly sponsors of work based students have the same right to be present at any meeting. Where the student has awarded advocacy rights to this person, the rights of the advocate shown below apply. Where a student has not awarded these rights, the role of the parent/carer/sponsor is in a purely observational role. They would have no right to intervene in any hearing or to offer an opinion or comment unless they believed to student was being put at risk by the proceedings.

Rights of the Advocate

The Student has full control over the level of advocacy rights and the levels of rights are listed below:

- Full rights to speak on behalf of the student
- The right to seek clarification from any officer of the College conducting a hearing/interview in order to ensure the student has understood proceedings
- The right to be present at a meeting as moral support for the student who is speaking on their own behalf

The level of rights of the advocate should be confirmed with the student at the start of any proceedings.

STANDARD BEHAVIOUR FOR SUCCESS LETTERS & WITNESS STATEMENT PRO FORMA

Name of Letter	Reference
Suspension Prior to Written/Final Written/Potential Exclusion Hearing: Employer Letter	SUSEMP
Suspension Prior to Written/Final Written/Potential Exclusion Hearing: Parent/Carer Letter	SUSP
Suspension Prior to Written/Final Written/Potential Exclusion Hearing: Student Letter	SUSSt
Exclusion: Employers Letter	EXE
Exclusion: Parent/Carer Letter	EXP
Exclusion: Student Letter	EXSt
Dismissal of Case: Employers Letter	DCE
Dismissal of Case: Parent/Carer Letter	DCPa
Dismissal of Case: Students Letter	DCSt
Witness Statement Pro-forma	WS
Verbal Warning / Formal Verbal Warning Student	VWSt
Verbal Warning / Formal Verbal Warning: Letter to Parents	VWP
Verbal Warning / Formal Verbal Warning: Letter to Employers	VWE
Written and Final Written Warning: Student (Amber and Red Warnings)	WFWSt
Written and Final Written Warning: Letter to Parents / Carers (Amber and Red Warnings)	WFWP
Written and Final Written Warning: Letter to Employers (Amber and Red Warnings)	WFWE

All these documents are available on the Student Services section of the intranet