



Positive Behaviour Policy and Procedure

**To enable students to learn
To allow teachers to teach
To keep our College safe**

Myerscough College recognises that it has a legal and moral duty to provide a safe and secure learning environment for its students, staff and visitors. We all agree that mutual respect and tolerance should be encouraged and supported amongst the whole College community.

We believe that establishing high expectations within which students can learn and thrive involves effective management of behaviour in a consistent, fair and supportive manner.

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1. Policy Statement

Myerscough College recognises that it has a legal and moral duty to provide a safe and secure learning environment for its students, staff and visitors. We all agree that mutual respect and tolerance should be encouraged and supported amongst the whole College community.

We believe that establishing high expectations within which students can learn and thrive involves effective management of behaviour in a consistent, fair and supportive manner.

This policy will enable Myerscough College to build a positive, consistent and safe learning environment in which behaviour is well managed and in which individual needs are identified and addressed. We will establish a culture of respect and safety, including zero tolerance of bullying, clear boundaries, excellent pastoral care and highly effective early interventions, but implicit in this policy is the recognition of the need to disapprove of, formally record and in certain circumstances reprimand unacceptable conduct and behaviour which disrupts learning.

A College wide commitment to improving behaviour will lead to greater learner engagement, better support for teachers and less time reacting to situations and incidents. This will promote and underpin a successful educational experience for all students including those for whom College may be a last chance at success in education.

It is vital as a College that we recognise and celebrate the achievements of our students to create an environment that encourages and rewards success. Our recommended approach is based on strong evidence which shows that the encouragement and reinforcement of positive actions is more effective in changing and improving behaviour than focussing on unacceptable actions and trying to minimise them through use of sanctions and penalties. The way we do this is dependent on the individual's or group's accomplishments and therefore, reward and recognitions may take many different forms, from structured reward systems to a smile and a 'thank you'.

The aims and objectives of Myerscough College's positive behaviour approach will be:

- To allow teachers to teach
- To enable students to learn
- To encourage students to develop self-confidence and self-discipline

A relentless focus on positive behaviour will enable learning to take place in a safe and orderly and enjoyable environment. It is intended to replace the emphasis on rules and sanctions or relying on a punitive disciplinary approach and reflect a coaching culture which encourages individual responsibility.

The College strives to create a community which is trauma informed. This trauma informed approach is embodied by our aspiration to build a nurturing, caring ethos which permeates our College environment. We have developed a behaviour policy which places relationship as the cornerstone for people to thrive, both academically and in relation to their wellbeing.

2. Policy Aims

- To ensure that all members of the College community feel safe.
- To embed a whole College proactive and consistent approach to behaviour where inappropriate behaviour is positively challenged.
- To establish a policy which is fair, transparent and consistent in the eyes of all concerned, is supported by all levels of management and is consistent and coherent.
- To create a culture of respect and excellent behaviour and attitudes across College.
- To foster an environment where everybody feels safe and where each person is treated fairly.
- To enable all staff to manage and improve student behaviour.
- To recognise pastoral support as a critical success factor in dealing with poor behaviour and supporting good behaviour.
- To ensure that every member of the College community feels valued and respected.
- To create an environment where positive behaviour is encouraged and reinforced.
- To clearly define acceptable and expected standards of behaviour.
- To ensure consistency of response to both positive and unacceptable behaviour.
- To enable our students to differentiate between right and wrong and abide by civil and legal law.
- To nurture the skills and attitudes which allow our students to make a positive and productive contribution to College and the wider society.
- To promote self-esteem, self-awareness, resilience and rights and responsibilities.
- To support every student in understanding the cultural diversity of our community and the importance of individual liberty, mutual respect and tolerance and the rule of law.
- To encourage relationships between all members of the College community that facilitate effective learning.
- Develop a strong sense of morality that allows them to take on board the thoughts and feelings of others.
- To support people to communicate their thoughts and feelings in a way that would be beneficial in life and work.

3. Scope

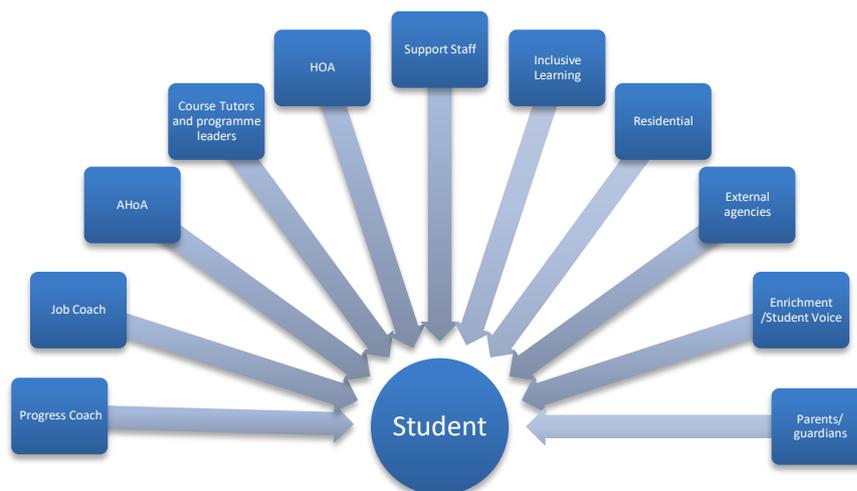
This Policy will apply to all students in the College community and to all student behaviour management issues arising within the College or workplace (including apprentices and work placements) and /or whilst engaged in College related learning or activities. Collaboration between the College and employers is key in supporting the positive behaviour management of apprenticeships and those on work placement.

This policy also applies to student behaviour away from College premises and / or in the student's own time if the reputation of the College is compromised and / or if the behaviour has a negative impact on College activity or other students, including the use of social media and other online platforms.

This policy applies to all students including those on Schools Link programmes 14-16, though the College will also liaise with the appropriate school staff to discuss options when dealing with incidents of inappropriate behaviour. A separate policy covers staff behaviour and disciplinary procedures.

Where students face sanctions or disciplinary action based on academic performance, they may additionally need to refer to any guidelines from their awarding body. For example, students on Higher Education courses are additionally subject to the Academic Regulations of the University of Central Lancashire.

Fig.1:



The College recognises that every member of the College community has a responsibility for student behaviour, conduct and wellbeing. However, the College recognises the roles of identified team as having additional responsibilities, i.e., the Progress Coach, residential and curriculum teams have in supporting student success and their responsibility to refer students for additional support if they are 'at risk' of not achieving their learning goals. Collaborative working between all teams is key for the effective implementation of this policy.

4. Methodology

Underpinning the positive behaviour approach is the simple reality that we all like to be praised for what we do well. The positive behaviour approach proposes that teachers who praise students who are 'on task' achieve better results from them and from other students who notice and copy this good behaviour. The positive behaviour approach:

- Clearly **identifies and values** the behaviours which are constructive, respectful, and supportive and are associated with high levels of engagement in learning.
- Promotes **good relations** between students and staff based on **mutual respect and trust, common purpose and values**.
- promotes an **uncompromising focus on learning and achievement** and **developing self-confidence and self-discipline**.
- **looks for the positive** (staff find opportunities to praise many times more often than punish) and reduces the public attention paid to students who are not on task.
- **separates the behaviour from the student** (the teacher shows that s/he dislikes the behaviour not the student).
- is **assertive** but avoids confrontation (staff de-escalate situations by being firmly in control of their own reactions and by following a universally recognised method of positive behaviour).

- is based on **simple rules** which are clear and known to everyone (students, parents, staff) and which **establish expectations and boundaries**.
- is talked about and **used all the time** and everywhere in the College.
- has **clear consequences** (for misbehaviour which cannot be ignored) which are consistently implemented.

The positive behaviour system is based on **expectations, recognition** and **consequences**.

Throughout the student journey recognition of achievement relative to the potential of individual students should be acknowledged and celebrated.

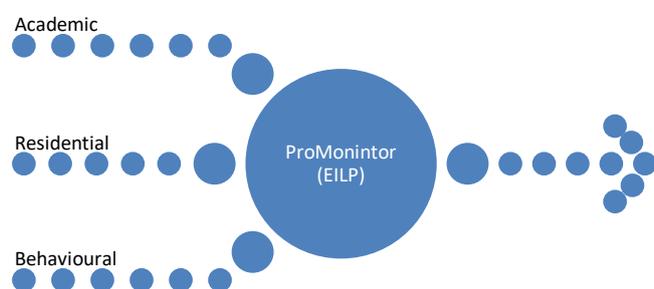
- Curriculum specific award and recognition initiatives
- Student eILPs monitor their progress and recognition of achievement should be acknowledged at each review stage:
 - Attendance
 - Punctuality
 - Target Grade
 - Effort
 - Attitude
 - The extra mile
 - College reward events

In order to support timely communication and equity, it is important that the student remain central and we work to streamline and funnel communication. This will require:

- Residential and academic issues not being dealt with in isolation including apprenticeship provision and employer engagement.
- Multi departmental issues being allocated one investigator and decision maker.
- Effective communication with parents and carers for students as appropriate.

The recording and reporting of behaviour and disciplinary interventions will be ProMonitor for all students including apprentices, where there will also be a reference on their One File profile.

Communication and Record Keeping



Communication /Action



5. Myerscough Student Charter

The Student Charter sets out our mutual expectations during your period of study at our College and University Centre. We believe that students and staff form a single academic and residential community working together to achieve our goals. We should all have reasonable expectations of one another and be committed to behaviour professionally and respectfully.

The College will support all students to enable them to adhere to the expected behaviours within the Code by creating a safe, inclusive, friendly and supportive environment with appropriate interventions to support students to make appropriate decisions and have actions in line with our Code of expected behaviours and conduct.

6. Respect - A better place for all people"

The Values and behaviours at Myerscough College are built on Respect. The note below outlines 6 principles below:

Respect People:

Respect feelings – Act in a way that shows people you care about their feelings, be kind.

Respect difference – Recognise people’s right to look, think or act differently from you.

Respect rights – Think and behave in a positive way showing you care about people’s rights to stay safe.

Respect Place:

Respect your campus – By keeping College tidy, drive responsibly and following all safety guidelines.

Respect College property – By taking care of facilities and equipment and treating it like it’s your own.

Respect your home - By taking care of your residential accommodation and the Student village so that it is a safe and welcoming community.

If you see or experience that students are not following the principles above:

Take action against bullying, intimidation, harassment, intimidation, feeling unsafe, discrimination, crime including hate crime: speak in confidence to the Student Support team on 01995 642348, the Residential Team or The Core at Croxteth or email safeguarding@myerscough.ac.uk.

7. Fitness to Study

The College appreciates that in certain circumstances staff may have concerns about a student’s ability to manage the course and College requirements due to significant health, well-being or behavioural difficulties. On occasions a student’s health or mental wellbeing may deteriorate to the point where it becomes impossible for them to be able to continue with their studies. These procedures will be invoked following serious concerns expressed over a student’s health or behaviour, which has led to:

- Doubts from staff over the student’s fitness to study at the College and/or within a placement
- The disruption of the teaching, learning or support of other students

Students who present with difficulties due to their physical or mental wellbeing should, wherever possible, be considered from a supportive perspective rather than a disciplinary one. However, the College reserves the right to use the Student Disciplinary procedures where students' health or behaviour poses a risk of harm to either themselves or others, or where students do not positively respond to more supportive interventions.

The College expects that the initial action should be informal, and an appropriate person should approach the student in a supportive and understanding manner. The nature of the concerns should be clearly identified to the student and they should be encouraged to discuss the issues (it is possible that they will not have realised the impact of their actions). Curriculum and support staff should be encouraged to discuss any students identifying as a cause for concern in relation to their fitness to study and live at College, in their area support meetings or with their line manager.

If appropriate, staff may initiate an internal referral to other College teams and information should be provided about sources of support within the College that the student can access (e.g., Advisory Panel, Pastoral Support, Safeguarding referral, SA1, Inclusive learning, Residential support). Suitable referral should be agreed and managed and may include a new or reviewed support assessment. If targeted support is put in place it is likely that the student will respond positively, and where appropriate, co-operate fully, access the available support or modify behaviour.

Should the student be unable to respond positively then staff must discuss the situation with the Head of Area and a request to attend the Student Advisory Panel to discuss the concerns.

At this point the College's expectations and requirements must be made clear and any conditions of continued attendance explained. This may include a requirement for a referral to a GP or mental health support, a behavioural contract; a support assessment and mandatory support: and will be put in writing in a letter of confirmation. If the student is unable or unwilling to meet these requirements, then the College may use the Positive Behaviour procedure and instigate Withdrawal procedures. It is not essential that all of the described stages or interventions must take place before a final decision is taken regarding withdrawal under Fitness to Study. There may be circumstances where a rapid decline in well-being or an immediate medical problem could result in the need to hold a withdrawal meeting. See Fitness to Study Policy for further guidance.

8. Residency / Living in Halls

Students living in College Residency are under heightened observation and scrutiny with additional expectations on them in relation to their behaviour and conduct. They live alongside each other, in the Student Village, many being away from home for the first time without the supervision from their family, carers or others. This time in many students' lives creates an opportunity for significant personal development and growth whilst they explore, navigate, finding and developing their independence, decision making skills, risk taking and relationships with others.

This can result in a manifestation of additional behaviours which are not in line with the College values, FREDIE principles and expected behaviours to ensure a safe, inclusive, kind, healthy and friendly environment. The College acknowledges that living in halls provides with opportunities for developing many skills and an enhanced student experience, we recognise and take seriously our responsibility to ensure that all who live within halls live within our expected values and behaviours, to ensure the safety of students and staff is paramount.

To support this, this policy acknowledges that certain behaviour displayed in residency may require a differentiated approach, however all behaviours will be addressed under one procedure in collaboration with all other College teams (e.g., curriculum, support, inclusive learning, safeguarding, health and safety, estates and residential operations).

9. Behaviour Modification, Early Identification and Intervention

The rationale behind behaviour modification is to change inappropriate behaviours and implement some restorative justice. Restorative approaches provide opportunities for those directly affected by an offence/incident (victim, offender and members of staff) to communicate, and agree how to deal with the offence and its consequences. If there is an 'incident' in the learning environment or the Student Village, it is the tutor's responsibility to complete a behaviour modification form in a meeting with the learner. In such cases we should see that discipline represents an opportunity to teach and nurture, understanding and meeting the need behind the behaviour. It should be made clear which behaviours require some modification so that they can be supported to think about, and put into action, changes to their behaviour and strategies to address their conduct or behaviour. This may require a referral to an internal service, such as inclusive learning or pastoral support.

Depending on the reason for completing a behaviour modification form the learner may be required to ask tutors to sign a learner's behaviour monitoring sheet in all sessions to record that they have behaved appropriately or arrived on time, for at least a week. It should be explained to the learner that being put onto an official disciplinary may be avoided in the future if they change how they are behaving. The monitoring sheet is not a compulsory element of early help and support, and staff should be mindful of the implications of this and it should be a positive and helpful process, however the student should not see this as a punishment or a strategy which may result in them feeling humiliated or embarrassed.

Where further support in relation to behaviour is required a referral can be made for further support. Some examples include feelings and anger management, personal issues affecting behaviour, anxiety, self-esteem and an assessment can also be made as to whether external agencies who work closely with the College would be better placed to offer support.

If behaviours persist or are deemed 'serious' then the learner will also be placed on the College's Student Disciplinary Procedure.

10. Student Disciplinary Procedures

This section outlines the disciplinary framework to deal with students whose demonstrate inappropriate behaviour, in a fair, transparent, appropriate and consistent manner. The College recognises the critical elements of encouraging positive behaviour including solutions focussed and trauma based approaches.

In the case of an incident involving residential students, both the Heads or Assistants Heads of Curriculum and the Residential Support Manager must be notified regardless of behaviour to ensure a joined up approach to the personal development of and any planned interventions with the student.

If the cause for concern relates to a student's health and general wellbeing, all appropriate referrals to College support teams must be implemented and review if the Fitness to Study Policy may be more appropriate in providing solutions to the situation.

If a criminal offence has been committed the College may choose to involve the police. In certain circumstances, as a victim, a student maybe advised to contact the police directly. Student safeguarding and support staff and the health and safety staff are available to advise in all cases involving the police.

NPCC [When to Call the Police](#) guidance should be used as reference, with referrals to the safeguarding team in all cases.

10.1 Suspension

In the case of serious incidents / safeguarding concerns a College Senior Manager (or in their absence their nominee) may suspend a student pending further enquiries. This is normally for up to a maximum of 15 working days, but this period may be extended in serious and complex cases. The parents / guardians of students aged under 18 will be notified at the earliest opportunity of any such suspension.

Where it is deemed to be an emergency, Heads of Area or the Residential Support Manager may suspend a student for up to 72 hours pending referral of the matter to a College Senior Manager for consideration. The 72-hour suspension may be extended after consideration by a Senior Manager. to give students time to reflect on their behaviour and conduct and to allow a situation to calm down.

During the suspension period the student must only attend College for a specific meeting arranged by the member of staff in charge of the investigation or designated member of staff if support is required during this process (e.g., Progress Coach or counsellor).

Tuition or residence fees will not be refunded for periods where students are suspended from College or College Halls of Residence under any circumstances whatsoever (which for the avoidance of doubt includes where appeals have been upheld).

The following are authorised to suspend students:

- Assistant Principals or any member of the Principalship
- Any Director

This suspension may be delivered or communicated by any delegated member of staff and must be confirmed in writing within 2 days of the suspension.

Parents/guardians of those under 18 must be informed when the learner is suspended.

10.2 Suspension due to Police investigation into criminal or high-risk behaviours

Students may be suspended indefinitely and without prejudice if they are being investigated by the police for a crime which is judged to have a high potential impact on students or staff in College.

Examples of such high-risk crimes would include any safeguarding matters involving abuse or criminal behaviour targeting children or vulnerable adults, sexual assaults and rape, crimes which are relevant to the programme of study (e.g. IT based fraud or misuse by an ICT student), crimes of violence. This list is not intended to be exhaustive and the decision should be taken by assessing the potential risk to those in the College environment. The decision to suspend should be taken in consultation with the Assistant Principal, Head of Area and the Director of Student Support.

The suspension is to protect the student and others and will be reviewed once the outcome of the police investigation is known. Wherever possible, the suspended student should be enabled to complete their programme of study (study at home, planned tutorial meetings, etc.). This will not always be possible if the matter arises early in the College year. If the suspension is likely to prevent the student from completing the programme, then the student should be withdrawn with a guarantee that they may re-enrol at the start of the next academic year if the charges are unfounded.

Important Note:

1. Students must NOT be asked to leave College on an ad-hoc basis. If a student needs to be removed from College, then the suspension process should be followed. Where appropriate, parents or carers must be informed in **all** cases after making checks for safeguarding precautions.

Students should have access to a range of support measures to improve behaviour as required, remaining in College wherever possible. If a student walks out of College during a timetabled day without authorisation, parents, carers and employers should be notified immediately plus a referral to the safeguarding team if appropriate.

2. If the student has been identified as having additional need and or vulnerabilities, such as, safeguarded students (including those with a social worker), Looked after children and Care Leavers, Young Carers or has identified needs including an EHCP, then the relevant team should be alerted in all behavioural concern matters and disciplinary processes. (i.e., safeguarding and support team and Inclusive learning team).
3. If a student is suspected of being under the influence of drugs or alcohol, security, and or safeguarding and residential as appropriate should be alerted. Students in this case should not be asked to leave College. Where appropriate, parents or carers and employers will be contacted to ensure the safe passage home for the student.

10.3 Disciplinary Stages

The following list shows examples of inappropriate behaviour and the most appropriate stage of the disciplinary process. The list is neither exhaustive nor exclusive and, in some cases, it may be appropriate to enforce a different stage of the disciplinary process from the examples listed.

Stages 1 and 2: Misconduct / Cause for Concern

Examples include, but not exhaustive:

- Poor attendance
- Where absence is not notified or reasonably explained
- Poor punctuality
- Late or non-submission of course related work/assignments
- Disrupting the learning of others either in class, workshop or around the College
- Minor cases of academic misconduct
- Cheating, plagiarism and collusion – staff must refer to the Unfair Means to Enhance Performance Policy
- Disrespectful behaviour to other learners, staff or visitors
- Misuse of the internet/IT equipment
- Improper use of technology devices when in class or on College premises
- Misuse of and or damage to facilities and equipment
- Eating or drinking (apart from water or other agreed drinks for health-related purposes) in class, workshop or other timetabled sessions
- Persistent forgetting of ID Card and failing to wear lanyard
- Persistent forgetting of equipment and appropriate clothing for tasks (e.g., boots, face coverings, high-vis, overalls, sports equipment)
- Persistent forgetting of PPE
- Failing to abide by additional measures as part of the College risk management of Covid and other public health measures
- Failing to abide by College agreed public health interventions to reduce any risk of transmission of infections
- Any drug use or in possession of drugs, can also include under the influence of drugs (including suspected)
- Failing to abide by the speed limit whilst on College grounds

Specific to residential accommodation and living in halls– expectations in line with Living in Halls Guidance, examples include:

- Under 18s – failing to be in on curfew
- Under 18s under the influence of alcohol
- Being in an unpermitted Hall
- Damage to property, fixtures and fittings
- Breach of residential contract regulations
- Disrupting the lives of others living in residency.
- Allowing other people to enter residency when they are not permitted (e.g., allowing people from other households, other students or visitors)
- Entering other households when not permitted.
- Smoking in buildings
- Tampering with health and safety equipment
- **Any drug use or in possession of drugs, can also include under the influence of drugs including suspected. For resident students, this will result in a permanent exclusion from Halls**

Stage 3: Serious Misconduct

- Repeated or persistent violation of a verbal warning disciplinary incident
- Repeated misconduct
- Moderate cases of academic misconduct
- Demonstration of aggressive behaviour/discrimination/ harassment/bullying or hate incidents
- Physical assault
- Disrespectful behaviour including swearing at other learners, staff or visitors or on any College related activity including work placements
- Misuse of College resources
- Interference with College property including software or data belonging to or used by the College and other breaches of the Acceptable Use Policy
- Minor breach of Health and Safety regulations
- Allowing other learners to gain access to the premises including residency using their own ID Cards or residency key (including allowing others to enter residency when and where prohibited)
- Any drug use or in possession of drugs, can also include under the influence of drugs (including suspected).

Stage 4: Gross Misconduct

- Violation of a written disciplinary warning
- Serious cases of academic misconduct (refer to Learner Academic Misconduct Policy)
- Under the influence of alcohol or illegal drugs on College premises or whilst engaged in any College related activities
- Serious breach of Health and Safety regulations including smoking in buildings
- Serious inappropriate internet use, e.g., accessing pornography
- Bullying, intimidation, harassment, abuse, hate crime or incidents, the use of violence or threats of violence in any form e.g., verbal, physical, via e-mail etc.
- Serious breach of the FREDIE Policy and Anti- bullying Policy
- Bringing non-learners onto the premises including learners who are excluded
- Allowing non or excluded learners to gain access to the premises using their own ID Card
- Any criminal offence including:
 - Reasonable suspicion or actually being in possession of alcohol or illegal substances or associated drug paraphernalia
 - Any drug use or in possession of drugs, can also include under the influence of drugs (including suspected)
 - Suspected drug dealing or distribution of drugs
 - Endangering or causing injury to others
 - Possession of an offensive or dangerous weapon
 - Theft
 - Wilful damage to College property, equipment and accommodation
 - Physical assault
 - Sexual harassment or violence (including sexual assault)

In operating this policy, The College recognises:

- The right of the student to advocacy and the benefits of working in partnership with parents, carers, guardians, employers, health and social care staff and other relevant external agencies.
- The right of appeal against any decision of a disciplinary hearing.
- The care required in carrying out investigations and the importance of establishing the facts relating to any alleged breaches of the code of conduct.
- The strict confidentiality required when dealing with disciplinary issues.

10.4 Stage 1 – Caution (Misconduct)

This is the first stage in the procedure. It is not expected that a member of staff will issue cautions for minor classroom, workshop or practical management issues but that they will be issued where, for example, a previous informal discussion with a student about arriving late has not impacted on behaviour. Tutors will need to exercise judgement and it is strongly recommended that the Course and Residential Team establishes a common and consistent approach to frequently encountered behaviours.

At this stage the student should know the expected values and behaviours and the consequences of not adhering to these. The tutor should use a restorative approach based on encouragement, focussing on the behaviours and not the person setting clear boundaries and expectations with suggested actions to adapt and develop positive behaviours. Further interventions or referrals may be required at this time to support the student

The **Cause for Concern (CfC)** should be given by the supervising tutor or member of staff and can be issued by any member of staff and recorded on ProMonitor. In the case of apprentices, the work-based team should be informed.

It must be given to the student in a meeting or conversation. If this is not possible, due to student absence, the student must be informed of the issue of the Cause for Concern as soon as possible. If the course tutor is not directly involved, they must be informed within 24 hours of the Caution, by it been recorded on ProMonitor.

If a student acts inappropriately inside the College, but outside the curriculum or residential area, then the Cause for Concern may be given by any member of staff who will record on ProMonitor and informs the curriculum or residential area.

- Learners should be issued with a **maximum of three CfC** in any one academic year
- Cautions may be extended to 6 months at the discretion of the issuing member of staff
- After three cautions (even on unrelated matters) it is expected that the next warning should be at **Formal Warning level**
- **Residential Students – may have 3 residency specific warnings in addition to other issued cautions. Parents may be informed at this stage for under 18s.**
- A caution may be removed from the student's record if improvement is evidenced within an agreed timescale.

A Caution will normally have three-month duration but may be extended to six months at the tutor's discretion. The record will stay on the student's ILR (as expired) after that date.

The student may appeal against the issue of the Caution as further explained in this policy.

<u>Caution / Cause for Concern</u>	
Issued by:	Tutor, Progress Coach, Residential Support Team member, Director of Student Support or delegated staff
Appeal to:	Assistant Head of Curriculum Area / Residential Support Manager
Copies to:	Learner, Tutor, Study Programme Leader/Course Tutor, Residential Support Team, Progress Coach, Employer (as appropriate)
Recorded on:	ProMonitor

10.5 Stage 2 - Formal Warning Process

In the case of continuing offences, or a more serious offence, a formal warning should be given by the course tutor or Assistant Head of Area, Residential Support team member or Manager (in the case of curriculum-based or residential offences) or Director of Student Support (in the case of cross-College offences).

The same procedures for issuing the Formal Warning apply as laid out for the Caution.

This should be recorded on the appropriate ProMonitor page.

Where appropriate, **parents, guardians and employers must be informed when the learner receives a warning at Formal Warning level or above and be offered feedback on the student behaviour and the sanction.**

All Formal Warnings should be supported by a contract of improved behaviour and support plan which details expected changes in behaviour and includes a review period.

A Formal Warning has a duration of 12 months.

All warnings will remain on the student's record after the end date (as expired). Documentary evidence of the offence must be kept in the event of any subsequent exclusion procedures.

The student may appeal against the issue of the Formal Warning. The procedure is explained within the body of this policy.

Please note there is no differentiation between residential and any other aspect at this level.

Formal Warning – Stage 2

Issued by:	Tutor, Programme Leader, Progress Coach, Residential Support Team member, Director of Student Support or delegated staff
Appeal to:	Curriculum Assistant Head of Area
Copies to:	Learner, Tutor, Study Programme Leader/Course Tutor, Residential Support Team, Progress Coach, Parent/Carer, Employer (as appropriate)
Recorded:	on ProMonitor

10.6 Stage 3 - Final Warning Process

This is a Final Warning, which carries with it the indication that any subsequent breach of the College's requirements will result in a Stage 4 Disciplinary Hearing for potential withdrawal, exclusion or other sanctions. The Final Warning should be issued by the Assistant Head of Area in a formal meeting attended by the student and, where appropriate, their parent/carer / Employer plus any other staff involved.

The Final Warning should clearly indicate the nature of behavioural change that is required and/or any specific conditions or actions which would automatically trigger a Disciplinary Hearing. The student must be clear about what is expected of them and any support or interventions required.

There is no obligation for staff to apply each stage of the Procedure in turn. For example, a series of Cautions for relatively minor issues may be followed by a Final Warning if there is no sign of behavioural change. Alternatively, a single significant incident may justify an immediate Final Warning without going through any Caution stage.

The purpose of the Final Warning is to clearly indicate that this is the last opportunity for the learner to modify behaviour before the most severe disciplinary sanctions are used.

Parents/guardians of those under 18 must be informed when the learner may receive a warning at Formal Warning level or above.

Please note there is no differentiation between residential and any other aspect.

Formal Warning – Stage 3

Issued by:	Assistant Head of Area, Residential Support Manager, Director of Student Support
Appeal to:	Curriculum Head of Area
Copies to:	Learner, Tutor, Study Programme Leader/Course Tutor, Residential Support Team, Progress Coach, Parent/Carer, Employer (as appropriate)
Recorded:	on ProMonitor

10.7 Stage 4 - Gross Misconduct

Stage 4 Hearings are usually reserved for dealing with either a single extreme behavioural incident or a pattern of persistent behavioural problems that have resulted in a series of escalating warnings.

Procedures for exploring the possibility of exclusion, withdrawal or other sanctions will normally be initiated when students have either continued with a range of behaviour, which has incurred previous warnings or are reasonably suspected of having committed a serious offence.

Students should normally be issued with appropriate warnings before any exclusion procedure is initiated. Normally the learner will have received a Final Warning to indicate that any further breaches of regulations may result in exclusion, to give the student opportunities to improve their behaviours. These warnings may need to be issued in the absence of the student and sent by post. Consideration must be given to mitigating or extenuating circumstances such as learning difficulties or disability, serious personal or family problems but these factors may not excuse unacceptable behaviour.

Tutors may move directly to a Gross Misconduct for severe breaches of the learning agreement and Code. Some offences are severe enough to move directly to an exclusion hearing without going through intermediate stages.

Further procedural guidance should be implemented for Managers who are investigating and managing cases of gross misconduct and serious student behavioural incidents, see section below.

A student excluded from residency may not necessarily be excluded from their academic course.

Parents/guardians of those under 18 must be informed when the learner is at risk of being withdrawn or excluded.

Exclusion / Gross Misconduct	
Issued by:	Assistant Principal, Director of Student Support
Appeal to:	Vice Principal
Copies to:	Learner, Tutor, Study Programme Leader/Course Tutor, Residential Support Team, Progress Coach, Parent/Carer, Employer (as appropriate)
Recorded:	on ProMonitor

11. Disciplinary Hearing for Stage 4 and /or Gross Misconduct including Exclusion (Stage 4)

The formal Stage 4 Hearing will be chaired by an Assistant Principal, with the appropriate Head of Area in attendance. Students will receive at least 5 days' notice of the hearing. In that hearing, attended by the student, parent/guardian or supporter, the evidence for exclusion should be presented by the designated investigating officer and the student given the opportunity to present their case.

All students under 18 should have a responsible adult present if at all possible. Sometimes this is not possible, and, in those cases, advocacy should be offered from within College e.g., Progress Coach. If absolutely necessary, Exclusion Hearings can be held without the student being present if they cannot be contacted or refuse to attend.

- Before the hearing, any witnesses to be called and relevant documents will be notified to the Chair in advance. It is the Chair's decision as to their use in the hearing.
- The panel will hear the case from the designated Investigating Officer.
- The panel will have the opportunity to ask questions of that member of staff.
- The student, with agreed assistance from their representative, will have the opportunity to present his/her case against exclusion including any mitigating circumstances.
- The panel will have the opportunity to ask questions of that student.
- Both sides will have the opportunity to summarise their case.
- The panel will then withdraw to make its decision. It can recall either side to seek any points of clarification.
- In making its decision the panel will work to the criterion of reasonable probability rather than the weight of the evidence required in a legal court (beyond a reasonable doubt).
- The panel will normally recall the sides in order to inform them of their decision, which will be confirmed in writing to the student and parent / carer within 10 working days.
- Outcomes of disciplinary hearing must be recorded on Promonitor in the 'disciplinary' section. This is the responsibility of the designated investigating officer or the Head of Area.

N.B. The panel may choose to refer students to appropriate advice and guidance services or access additional positive intervention services. This particularly applies during the first six weeks of the programme.

12. Student Appeal Procedures

Caution, Formal Warning or Behavioural Contracts

Students who wish to appeal against the issuing of a Caution, Formal Warning or Behavioural Contract must do this in writing. The relevant AHoA or Head and Director of Student Support, will review the circumstances and decide whether there are grounds for reviewing the Disciplinary Warning. The student will be informed of the decision in writing.

Appeal against Final Warning will be considered by the appropriate Head of Area, who may decide to review the evidence in a formal meeting attended by the student, parent/guardian or supporter and the course tutor. The Head of Area will discuss any cases as required with the Assistant Principal for that area.

Appeal Against Withdrawal or Exclusion

In the case of any appeal against Exclusion, the student will need to apply in writing to the Vice / Deputy Principal, setting out the reasons for the appeal within 10 working days of being notified of any exclusion. The appeal will need to set out reasons as to why the exclusion is unfounded or unjustified. Grounds on which an appeal will be considered are the submission of new evidence or claimed procedural irregularities.

A panel of members convened by the Vice Principal, and not previously involved in the case, will review the exclusion panel's decision and decide whether there are grounds for an appeal hearing to be held. The student will be informed of that decision in writing.

If the decision is that the appeal is justified due to the submission of new evidence or claimed procedural irregularities an appeal hearing will then be convened by the panel.

The procedure for the hearing is set out below:

- Only witnesses and documents identified to the Chair in advance of the hearing will be referred to during the hearing itself.
- The student or their representative will be invited to state the grounds of their appeal
- The panel will have the opportunity to ask questions of the student or their representative
- The member of staff imposing the sanction will then put their case to the panel
- The panel will have the opportunity to ask questions of that member of staff
- Both sides will have the opportunity to summarise their cases
- Both sides will withdraw from the hearing, leaving the panel to deliberate in private. The panel can recall either side to seek points of clarification
- The panel will normally recall the sides in order to inform them of their decision, which will be confirmed in writing within 10 working days

13. Turning Policy into Reality

The College is committed to:

- Ensuring adequate systems exist to support the positive behaviour process in the form of training events, positive behaviour strategies, course team contracts, student group contracts and safeguarding mechanisms.
- Establishing a staffing structure which prioritises support for students to achieve their potential by allocating Progress coaches, HE Tutors, Apprenticeship Tutors and ALS advisers to curriculum areas
- Ensuring that all learners are aware of all of the positive behaviour systems available to enable them to achieve their learning goals.
- Ensuring all staff are aware of the positive behaviour systems available and actively encourage students to access support.
- Monitoring the effectiveness of the positive behaviour systems against retention and achievement data and levels and types of disciplinary warnings
- Measuring progress towards improvement against actions identified through self-assessment and student surveys.
- Utilising staff development opportunities to ensure staff are using effective methods to support individual needs.

Regular briefings for staff will be available on the intranet.

Communication process for staff and stakeholders.

The Positive Behaviour Strategy will be communicated to staff via: SLT, FREDIE Strategy Group, Intranet, VLE, and through briefings to Curriculum and Support Teams.

Training will be offered on the behaviour modification strategies and techniques at the staff training events to prepare staff for the effective implementation of the policy and procedures.

Further training will be delivered directly to curriculum and support teams on the strategy and behaviour management by key staff.

14. Monitoring and Impact Measurement

The Positive Behaviour Policy will be implemented by teaching and support staff and by Senior Leadership and Managers through strategic and operation plans.

Monitoring at Department and Course level will focus maintaining and improving the following:

- Retention rates
- Attendance and punctuality Retention of 'At Risk' students
- Achievement of 'At Risk' students
- Progress and target setting
- High satisfaction (recorded in student surveys)
- A positive impact on disciplinary data
- Progression internally and externally
- Learner Voice feedback
- All the above differentiated by 'Residential'

This policy will be subject to a review cycle to assess the overall performance of the policy and its effectiveness in managing behaviour by the Quality of Education Group which comprises of Principals, SLT, Curriculum, Support (safeguarding, residential and inclusive learning). This group will co-opt other College members as appropriate to review the effectiveness and implementation process of the policy and procedure as required.

15. Variations and Amendments to this Policy

In some cases, it may be desirable that variations should be made to procedural aspects of the Positive Behaviour Policy. The College may make such variations as it sees fit, subject to informing the student concerned and subject always to considerations of fairness. Without limitation, such variations may include appeals interviews being conducted by different persons, if the person who would otherwise be conducting the interview has previously had close personal involvement in the matter to be considered or other conflicts of interest.

Documents Associated with this Policy

- Myerscough Student Charter
- Living in Halls of Residence Booklet
- Fitness to Study Policy
- FREDIE Policy
- Child Protection and Safeguarding Policy
- Online Safety Policies
- Anti-Bullying Policy

Appendices

Appendix 1: Positive Behaviour Contract

Appendix 2: Template Attendance/Behaviour at College - Stage 1 Caution

Appendix 3: Template Stage 2/3 Formal Warning

Appendix 4: Template Stage 4 Exclusion

Appendix 5: Template Suspension Letter

Appendix 6: Template Withdrawal Letter

Appendix 7: Student Charter

Positive Behaviour Contract

Student Name:		Student Number:	
Course/Programme:		Apprentice? * YES / NO	
Disciplinary Procedure Level	Nature of Offence (including location, date and time):		Review Dates
Stage 1: CAUTION <i>(min 3 months)</i>			
Stage 2: FORMAL WARNING <i>(min 12 months)</i>			
Stage 3: FINAL WARNING <i>(min 12 months)</i>			
Stage 4: APPLICATION FOR EXCLUSION			
<p>Behavioural Contract</p> <p>I understand the importance of acting responsibly, showing respect and tolerance to others and trying my very best to succeed on my course. I will abide by all College policies, regulations and requirements, including the following specific conditions:</p> <ul style="list-style-type: none"> • • • • <p>I understand that if I do not comply with this contract then I may lose my place at College.</p>			
Period of Review of Behavioural Contract: <i>(weekly/monthly/termly)</i>			
Student Signature:			Date
Signature of Authorised Member of Staff:			
Print Name of Authorised Member of Staff:			Date

Positive Behaviour Template
Attendance/Behaviour at College - Stage 1 Caution

Date

Address

Dear *(Student Name)*

Attendance / Behaviour at College: Stage 1 Caution

The wellbeing, safeguarding and success of our learners is a priority at Myerscough College. We all agree that mutual respect and tolerance should be encouraged and supported across the whole College community. Positive behaviour, including attendance, is an important part of our expectations as set out in the Myerscough Code.

In line with College policy, you have already received a number of supportive measures to encourage behaviour change to enable you to progress on your course and do well. However, you have not responded to these interventions positively and we are now implementing stage 1 of the disciplinary process and issuing you with a caution. A Caution will normally have a three-month duration but may be extended to six months at the College's discretion.

Please note that the maximum number of cautions which can be issued in one year before proceeding to Stage 2 of the disciplinary process is three. Cautions can be removed if improvement is evidenced within an agreed timescale.

If you wish to appeal against the issuing of this caution you will need to complete a Disciplinary Appeal form. Your Assistant Head of Curriculum Area or the Residential Support Manager will review the circumstances and decide whether there are grounds for removing or upholding the caution issued. You will be informed of the decision in writing.

We will be contacting your parents / carers / employers to inform them of this action. We may ask them in to come into College to discuss how we can best support you to succeed.

Please speak to your Progress Coach, Course or Personal Tutor if you have any further questions.

Yours sincerely

**Positive Behaviour Template
Stage 2 - Formal Warning**

Date

Address

Dear *(Student Name)*

Positive Behaviour –

Choose one of the following statements

Stage 2 Formal Warning

Stage 3 Final Warning

The wellbeing, safeguarding and success of our learners is a priority at Myerscough College. We all agree that mutual respect and tolerance should be encouraged and supported across the whole College community. Positive behaviour, including attendance, is an important part of our expectations as set out in the Myerscough Code of Conduct.

In line with College policy, you have already received a number of supportive measures to encourage behaviour change to enable you to progress on your course and do well. However, you have not responded to these interventions and we are now implementing stage 2 of the disciplinary process. This means we are issuing you with a ‘formal warning’.

All formal warnings include an agreed contract to support improvement in behaviour which we will discuss with you. A formal warning has a duration of 12 months but may be extended if necessary.

If you wish to appeal against the issuing of this caution you will need to complete a Disciplinary Appeal form. Your Curriculum Assistant Head of Area/Head of Area will review the circumstances and decide whether there are grounds for removing or upholding the caution issued. You will be informed of the decision in writing.

We will be contacting your parents / carers / employers to inform them of this action. We may ask them in to come into College to discuss how we can best support you to succeed.

Please speak to your Progress Coach, Course or Personal Tutor or Work based tutor if you have any further questions.

Yours sincerely

**Positive Behaviour Template
Stage 4 - Exclusion**

Date

Address

Dear *(Student Name)*

Positive Behaviour – Stage 4 Exclusion

The wellbeing, safeguarding and success of our learners is a priority at Myerscough College. We all agree that mutual respect and tolerance should be encouraged and supported across the whole College community. Positive behaviour, including attendance, is an important part of our expectations as set out in the Myerscough Code of Conduct.

In line with College policy, you have already received a number of supportive measures to encourage positive behaviour and progress. However, you have not responded positively, and we are now invoking stage 4 of the disciplinary process. As a result, you are invited to attend a formal exclusion hearing which will be chaired by an Assistant Principal alongside the Head of Department. At this hearing the evidence for exclusion will be presented and you will be given the opportunity to present your case.

If you wish to appeal against this decision you will need to complete a Disciplinary Appeal form. The Vice Principal and the Director of Student Support will review the circumstances and decide whether there are grounds for removing or upholding the sanction issued. You will be informed of the decision in writing.

A copy of this letter will be sent to your parents / carers / employer. They are invited to attend the hearing if you wish. Please contact your Progress Coach, Course or Personal Tutor or work-based tutor if you have any questions or feel you need support.

Yours sincerely

**Positive Behaviour Template
Suspension Letter**

Date

Address

Dear *(Student Name)*

Positive Behaviour – Suspension

The wellbeing, safeguarding and success of our learners is a priority at Myerscough College. We all agree that mutual respect and tolerance should be encouraged and supported across the whole College community. Positive behaviour, including attendance, is an important part of our expectations as set out in the Myerscough Code of Conduct.

Choose one of the following statements:

1. Due to your involvement in the incident detailed below, a temporary suspension is now in place until an investigation has been launched. You will be invited in to give your statement shortly:
2. Unfortunately, you have not upheld the expected standards of behaviour and because of the incident detailed below, the decision has been made to suspend you from Myerscough College:

Incident: (date/ time / place/ brief detail)

Your suspension will remain in place from the date of this letter until further notice. In the next few days, the College will write and tell you the date and time for you to come in and talk to us about what has happened. A copy of the College's Positive Behaviour Policy will be sent to you at the same time.

If you are receiving payment of a guaranteed bursary or learner support fund this will continue during your suspension.

Please note that as part of your suspension you are not allowed on College premises other than to attend the meetings as requested. If you have any examinations scheduled throughout your suspension, contact your progress coach immediately.

If you wish to appeal against this decision you will need to be in writing. The Head of Area and the Director of Student Support will review the circumstances and decide whether there are grounds for removing or upholding the sanction issued. You will be informed of the decision in writing.

A copy of this letter will be sent to your parents / carers / employers. They are invited to attend any meetings with you if you wish. Please contact your Progress Coach / Personal / Course Tutor if you have any questions or feel you need further support.

Yours sincerely

Template Withdrawal Letter

Date

Address

Dear *(Student Name)*

As you know, a meeting was held on (date) to examine evidence of your behaviour in College.

This letter is to formally notify you that as a result of that meeting, the decision has been taken to withdraw you from your course from (date). This means that you may not continue on, or enrol on, any College course during the remainder of this academic year.

You have the right of appeal against this decision. If you wish to do so, you must write to the College Vice Principal, Mr Steven Downham-Clarke, within 10 days of receiving this letter explaining why the decision is unfounded or unjustified. This must be on the basis of a failure in procedure or new evidence in support of your case.

Please contact your Progress Coach / Course Tutor if you would like to be referred to the Careers Service so that you may receive impartial advice and guidance about your future educational choices.

The terms of your withdrawal mean that you must not enter any of the College sites, buildings or premises for any purposes, except to attend a pre-arranged appointment with a member of staff. If you are required to attend for any purpose, this will be confirmed in writing.

Yours sincerely

Head of Area

Student Charter

Myerscough College and University Centre

INTRODUCTION

Your time at Myerscough is part of your lifelong learning and part of a lifetime relationship between you as a student within our College and University Centre. We aim to make the time you spend with us enjoyable, memorable and fulfilling and will provide you with an important stepping-stone to the achievement of your life goals. Wherever you go and whatever you do, we hope that you will become an inspiration for others and that you will always take a bit of Myerscough with you.

The purpose of this Charter is to set out our mutual expectations during your period of study here at our College and University Centre. We believe that students and staff form a single academic and residential community working together to achieve our goals. We should all have reasonable expectations of one another and be committed to behaving professionally and respectfully.

Myerscough is an Associate School of the University of Central Lancashire (UCLan) and our two institutions have the same common goals for high standards of student experience for Higher Education. This Student Charter is aligned to the UCLan Student Charter and outlines our academic community culture and the principles we uphold for all our students.

Alison Robinson
Chief Executive & Principal

OUR VISION IS TO:

- be the leading college in the land based, science, engineering and sports sectors
- be the natural choice for students, staff and employers
- provide a highly skilled, creative and technical workforce
- deliver excellent outcomes through inspirational and inclusive learning and services
- build sustainability into all we do

OUR MISSION: Inspiring Excellence

OUR VALUES:

Learning	People	Sustainability
Our delivery will be high quality and innovative with students at the heart of decision making.	We will enable staff and students to fulfil their potential whilst promoting resilience, leadership, accountability and teamwork.	We will provide a happy, healthy, safe, supportive and sustainable environment in which to live, work and study.
We will advance FREDIE : Fairness, respect, equality, diversity, inclusion, engagement in all we do		

OUR COMMITMENTS TO YOU:

We will:

- Extend a warm, polite, courteous and inclusive welcome to you
- Act in a respectful, professional and inclusive way and commit to equality of opportunity for all free from discrimination and harassment
- Provide you with access to accurate information and advice on all aspects of College life
- Provide a safe environment, inspiring learning opportunities and high-quality resources to enable your development
- Provide timely academic and pastoral support through your personal tutor, pastoral and support services
- Give prompt and developmental feedback on your academic work to help maximise your success
- Listen and respond to your feedback to help shape your experience
- Enable access to range of opportunities to support the development of your employability

OUR EXPECTATIONS OF YOU:

As a student you should:

- Behave in a respectful and inclusive way showing consideration for others and the environment
- Actively participate in the learning opportunities available to you, seeking help when you need it
- Take responsibility for your learning, and the development of your personal, professional and employability skills
- Complete all work to the best of your ability, with academic integrity, and submit it on time
- Respond to feedback to help improve your performance and learning experience and talk to us about how we can make positive changes
- Be proactive in maintaining the health and wellbeing of yourself and others and tell us when you need help and support
- Adhere to the College and the University (for higher education students) policies, regulations and codes of practice ([Myerscough Policies](#); [UCLan Policies](#))
- Keep up to date with information about your course and respond promptly to communications from your tutors and the College

THE STUDENTS' UNION COMMITMENTS TO YOU:

Your Students' Union will:

- Provide services and activities that are safe and inclusive, actively challenging discrimination
- Provide you with opportunities to be active, make lasting friendships and have fun
- Work to ensure that everything the College does is fair to all
- Represent and support you to achieve your goals, ensuring the best student experience for you and future students
- Give you the chance to get involved and support the development of the student experience and student decision making

Document History			
Author:	Vice Principal	Ref and Document Version:	Positive Behaviour Policy and Procedure – V1
Approval:	Senior Leadership Team	Approval Date:	September 2020 (Reviewed Jan 2021)
Review Date:	September 2023		
Publication:	Staff Intranet Student Intranet College Website		
Quality Assurance			
This Policy and Procedure maps to the following external quality assurance frameworks			
Framework		Framework Section Reference(s)	
Education Inspection Framework			
MATRIX			
QAA			
QIA			
ESFA			
Key Changes to Document			
New policy – replaces Student Academic Code and Disciplinary Code Policy and Procedure			

All Myerscough College Policies are subject to screening for Equality Impact Assessment

Equality Impact Assessments are carried out to see whether the policy has, or is likely to have, a negative impact on grounds of age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, marriage or civil partnership, sex or sexual orientation

Myerscough College not only fulfils its legal position in relation to current and future equality legislation, but additionally goes beyond compliance in providing and promoting “Opportunities for all to succeed”, free from any aspect of discrimination, harassment or victimisation.

All staff have a duty of care to look after the interests of and support their colleagues. *This policy takes account of our commitment to eliminating discrimination, identifying and removing barriers and providing equal opportunities for our learners, staff and visitors to ensure that no one feels excluded or disadvantaged.*

Safeguarding, Learner Protection and Prevent

All staff have a responsibility to support and promote the College’s commitment to providing a safe environment for students, staff and visitors. Additionally, all staff have a responsibility to report any safeguarding or Prevent issues to the Designated Senior Lead for Safeguarding and Prevent.