



**STUDENT DEVELOPMENT and
BEHAVIOUR PROCEDURE**

2023/2024

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1. SCOPE AND PURPOSE

- This code applies to all students of the Sixth Form, whether full-time or part-time, whether or not their course is validated by or associated with any other institution.
- This process sets out the conduct to which students are expected to adhere to. It also sets out the procedure, which should be followed if the 3 R's Respectful, Responsible and Ready are breached.
- Repeated breaches or a single very serious breach may result in a student being suspended or excluded from the Sixth Form.

2. STUDENT PROMISES

Student responsibilities

As a student at Central St Michael's we aim to give you all the support and guidance you need to achieve success. This guide is to show you what we expect from students at the Sixth Form so that we can help you to achieve in a supportive and non-threatening environment. Sixth Form rules could be considered the 3Rs:

Act with **Respect**
Accept **Responsibility**
Be **Ready** to learn

Act with respect

- respect all students, staff and visitors
- respect all college buildings and all equipment within it
- respect the effort made to support you in your learning

Accept responsibility

- you are the most influential person in deciding if you will succeed; this your responsibility
- you are responsible for turning up on time, doing what you agreed to do, working hard to be successful and having the right equipment with you to learn
- you are also responsible for your actions when things go wrong, accept the responsibility and put things right

Be ready to learn

- be in the right room, at the right time, with all necessary equipment
- have the right attitude and the determination that makes you ready to learn
- adhere to classroom expectations

All students should comply with the 3 R's, Respectful, Responsible and Ready.

Students who do not follow the above guidelines will be supported by teaching and support staff to work through any problems. Where a student continues to disregard the 3R's, they will be referred to the Head of Year or Campus Principal, when a warning may be given in line with procedures set out in the policy.

3. PRE – DISCIPLINARY PROCEDURE

In order for there to be a high standard of student behaviour in lessons and around the Sixth Form, **ALL** staff should take responsibility for maintaining good student behaviour within the classroom and around the Sixth Form.

Outside classroom – the member of staff will take student's name and person code, write a brief description of the incident and pass the information onto the Head of Year or Campus Principal. The Head of Year or Campus Principal will decide on the category of disciplinary and follow the disciplinary procedures accordingly.

In classroom – Intervention of the classroom teacher will take place (**see Pre-Disciplinary Procedure flow chart appendix 1**)

4. MISCONDUCT

Following intervention by the classroom teacher, there may be situations where a student is subject to disciplinary procedures being taken. This can be a result of the student persistently breaking the Sixth Form rules or after a single misconduct.

MISCONDUCT – Category 1

The following are examples of misconduct, which may result in disciplinary action being taken against students:

- continues to break the 3R's, Respectful, Responsible and Ready
- any failure to follow the reasonable instructions of a member of staff or security staff
- persistent failure to clearly display identification badges around your neck
- persistent wearing of hat/cap/hood in the Sixth Form (unless exempt)
- any misbehaviour in any area of the Sixth Form
- any incident of swearing or confrontational behaviour against a member of staff or another student
- any smoking in the Sixth Form building
- any cheating, plagiarism or copying of the work of other students (please refer to Academic Plagiarism policy)
- any unduly noisy or any unruly behaviour or the use of foul or inappropriate language
- disrupting any class or any other Sixth Form activity
- any unauthorised access, use of, or interference with software or data belonging to or used by the Sixth Form in line with computer usage and Acceptable use of ILT policies

- any behaviour which could bring the Sixth Form into disrepute (e.g. misbehaviour in public areas or on public transport) *
- any illegal act which may have an adverse effect on the work of the Sixth Form or on other students
- any act which is in direct contravention of the Sixth Form's policies or procedures on equality & diversity, disability, ethnicity, gender, sexual orientation, age, religious belief or gender reassignment
- any incident which impinges on personal space and privacy i.e. misuse of cameras, videos, mobile phone cameras or videos etc., where consent has not been obtained
- Inappropriate use of Information Technology, including cyber bullying (refer to the acceptable use of ILT policy)
- Non-return of Sixth form library books following 2 reminders

Note this list is not exhaustive

Misconduct - Category 1

Stage 1: Misconduct category 1 may be dealt with through an interview with the relevant Course Tutor. Where the misconduct is admitted or proved to the satisfaction of the Course Tutor, the outcome of the interview will be a **verbal warning**. An action plan will be completed by the Course Tutor and the student will be supported until deemed to be over any problems. Where the student is under the age of 18 a letter will be sent out to parents/carers informing them. The Course Tutor will update ProMonitor and inform the CSM Disciplinary Coordinator who will update the Disciplinary Database.

Stage 2: Persistent cases of misconduct may be dealt with through an interview with the relevant Head of Year or Campus Principal (or senior manager acting in that role). The student's parents/carers will be invited to the interview. Where the misconduct is admitted or proved to the satisfaction of the Head of Year or Campus Principal (or senior manager acting in that role), the outcome of the interview will be a **first written warning**. An action plan will be completed by the Head of Year or Campus Principal (or senior manager acting in that role) and the student will be supported until deemed to be over any problems. Where the student is under the age of 18 a copy of the written warning will be sent to the parents/carers. The Head of Year or Campus Principal (or senior manager acting in that role) will update ProMonitor and inform the CSM Disciplinary Coordinator who will update the Disciplinary Database.

*Any student found to be displaying anti-social behaviour will have their details passed onto the local Anti-Social Behaviour Team.

MISCONDUCT – Category 2

The following are further **examples** of misconduct, which may result in disciplinary action being taken against students:

- deliberately or by gross negligence causing damage to the Sixth Form buildings, equipment, IT equipment, books or furnishings or any property of others
- any theft of property with or without the use of violence (actual or inferred) or any other dishonest acts*
- being under the influence of alcohol or drugs on Sixth Form premises or on any external activity (i.e. field trips, visits, residential etc)
- possession, use or supply of any illegal drugs**
- any bullying, intimidation, taunting, verbal abuse, defamation of character or the use of any violence or threat of violence towards any person

- any behaviour which is racially or sexually offensive or which is offensive to those with learning and/or physical disabilities
- peer on peer sexual harassment
- any contravention of regulations regarding the receipt of Learner Support Funds or any other grant monies
- accessing pornography or other offensive websites on Sixth Form computers
- possession of an offensive weapon
- an incident of physical and/or verbal aggression

Note this list is not exhaustive

* Any student who is issued with a banning order from a shop/business for shop lifting will meet with the relevant Head of Year or Campus Principal and will be issued with a written warning. If the student is under 18 a copy of the written warning will be sent to parents/carers. The relevant Head of Year or Campus Principal will inform the CSM Disciplinary Co-ordinator who will update promonitor and the disciplinary database. Any further similar offences will result in further escalation.

**Any student found with drugs or drug paraphernalia during a random security search will be issued with a written warning. Security will inform Safeguarding and the relevant Head of Year or Campus Principal who will issue the written warning. If the student is under 18 a copy of the written warning will be sent to parents/carers. The relevant Head of Year or Campus Principal will inform the CSM Disciplinary Co-ordinator who will update promonitor and the disciplinary database. Any further similar offences will result in escalation. If the student is suspected as supplying drugs they may go straight to category 3.

Misconduct - Category 2

Where misconduct is from category 2 or there have been previous warnings with no improvement, an interview with the Head of Year or Campus Principal (or senior manager acting in that role) will take place. Where the misconduct is admitted or proved to the satisfaction of the Head of Year or Campus Principal (or senior manager acting in that role), the outcome of the interview will be a **final written warning**. An action plan will be completed by the Head of Year or Campus Principal and the student will be supported until deemed to be over any problems. Where the student is under the age of 18 a copy of this warning letter will be sent out to parents/carers.

The Head of Year or Campus Principal (or senior manager acting in that role) will update ProMonitor with the outcome of the interview and inform the CSM Disciplinary Coordinator who will update the Disciplinary Database.

If after the interview the misconduct is deemed to be of a serious nature the student may be suspended by the Head of Year (or senior manager acting in that role) while an investigation will take place. The Head of Year (or senior manager acting in that role) must complete a suspension report form and inform the Campus Principal and the CSM Disciplinary Coordinator of the suspension.

After the investigation the Campus Principal can issue a final written warning or recommend a "Panel Hearing" and the student will be suspended until the hearing. If the outcome is a final written warning the CSM Disciplinary Coordinator will update ProMonitor and the Disciplinary Database.

MISCONDUCT – Category 3

The following are examples of severe or extreme misconduct, which may result in immediate disciplinary action being taken against students:

- Assaults on learners or members of Sixth Form staff inside or outside of the Sixth Form
- Being found in possession of a knife or other offensive weapon inside or outside of the Sixth Form
- Recording of incidents within the Sixth Form or outside for release on social media
- Persistent failure to follow the values of the 3R's following previous interventions and warnings

Misconduct - Category 3

Where misconduct is from category 3 or there is clear evidence of danger to safety, the Sixth Form has the right to exclude learners permanently. The decision to take this action will always follow a panel meeting of the Designated Safe Guarding Officer, the Campus Principal and at least one member of SLT. This information will be communicated to the student and the parents/carers (if under the age of 18) in writing, by the CSM Disciplinary Coordinator and the Campus Principal.

Learners excluded this way will not have the right to appeal. This action is only taken in extreme cases when other routes allow an unacceptable risk to remain while the processes are being followed.

The CSM Disciplinary Coordinator will update ProMonitor and the Disciplinary Database.

NB: Learners may be removed from the role under safeguarding protocols. Please refer to the Safe Guarding policy.

5. PANEL HEARING

Where the misconduct is of a very serious nature or after a previous final written warning, the student may be suspended from the Sixth Form, pending an investigation. After the investigation the Campus Principal can issue a final written warning or recommend a "Panel Hearing" and the student will be suspended until the hearing. The interview panel will consist of a Chairperson (Campus Principal) and an independent member of staff (curriculum manager). The Investigating Officer (relevant Head of Year) may also be present. The student and their parents/carers will be given 3 days' notice in writing stating: -

- a) Nature of the misconduct allegations.
- b) Confirmation of the time and place of interview.
- c) The student will be entitled to be accompanied by a friend, student representative (cannot be a suspended student) or relative (but not a legal representative).
- d) If the student does not attend the hearing the hearing may proceed in their absence.
- e) A copy of the Student Development and Behaviour procedures will be enclosed.

After hearing the student's case, the third stage panel will reach a decision. The possible outcomes from a disciplinary hearing are:

- a) the allegation(s) is/are not proven to the satisfaction of the panel
- b) the allegation(s) is/are proven to the satisfaction of the panel a written warning is issued
- c) the allegation(s) is/are proven to the satisfaction of the panel a final written warning is issued
- d) the allegation(s) is/are proven to the satisfaction of the panel and the student is excluded from the College for either a fixed period of time or until such time as the Principal gives written permission for the student to return to the College and/or re-enrol. The panel can also decide to exclude the student, but suspend the exclusion for a period of 6 working weeks. At the end of the

6 weeks the panel will carry out a review and either uphold the exclusion or revoke it and issue a final written warning.

The Panel, in reaching its decision, will determine the period of time during which the outcome is to be effective. For example, the Panel may determine that a written warning will be effective for a period of six months from the date of the disciplinary hearing.

The Panel also has the discretion to attach conditions to its decision e.g. restrictions on access to the Sixth Form provided that this does not interfere with the student's programme of study, or, a requirement that the student signs in and out of the Sixth Form each day, or, the student must meet requirements for attendance or timescales for submission of academic work. The Head of Year or Campus Principal will monitor the student's compliance / behaviour with the conditions imposed. Again, the Panel will determine the period of time during which the conditions are to be effective. Failure to comply with these conditions may result in further disciplinary measures being taken or the time-scales involved being extended.

The student or his/her representative should be allowed an opportunity where a case is proved, to make a plea of mitigation.

The CSM Disciplinary Coordinator will update ProMonitor and the Disciplinary Database.

6. NOTIFICATION OF PANEL HEARING OUTCOME

- a) Normally within 3 days of the Panel, the student and their parents/carers (if the student is under 18) will receive written confirmation of the outcome of the Panel Hearing.
- b) If the recommendation from the Panel was for exclusion, a letter will be received from the Campus Principal confirming the outcome.
- c) The CSM Disciplinary Co-ordinator should be given the outcome of the hearing, along with all associated paperwork for storage. The CSM Disciplinary Co-ordinator will inform the appropriate Head of Year and the Programme Achievement Manager of the outcome.

If the student is not excluded from Sixth Form an action plan will be completed by the Head of Year or Campus Principal and may involve the Programme Achievement Manager, Student Mentor and/or student Support Officers. The student will be supported until deemed to be over any problems.

7. APPEAL AGAINST PANEL HEARING OUTCOME

- a) The student will have the right to appeal against the decision of the disciplinary outcome. Notice of appeal must be lodged with the Vice Principal (Central Campus) within 10 working days of the date of receipt of written confirmation of the panel-hearing outcome and must give the grounds for, and brief particulars for the appeal.

A copy of the appeal process will be sent to the student who has received an Outcome of a Student Disciplinary Hearing notification.

If notice of appeal is lodged within the time allowed, an appeal interview will be arranged to take place within 10 working days of the notice of appeal being lodged. We will not accept an appeal that is lodged after the stipulated 10 working days.

At the appeal interview, the student will be invited to explain the grounds of the appeal and to state his or her case.

The Chair Person (Campus Principal) of the Panel Hearing who recommended the exclusion will be asked to respond to the appeal and explain the reasons for the hearing outcome.

- b) If the appeal is dismissed, the outcome of the original hearing will stand.
- d) Within 5 days of the appeal interview, the final decision will be confirmed in writing to the student and to appropriate staff within the Sixth Form.
- e) The (Central Campus) Disciplinary Coordinator will update ProMonitor and Disciplinary database.

8. SUSPENSION PENDING DISCIPLINARY INTERVIEW HEARING

- a) A student may be suspended from the Sixth Form by the Campus Principal, Head of Year, Safeguarding Lead or a member of SLT (**only - or their agent with permission**) where there is reason to believe that the student has committed an act of **serious misconduct** or where previous warnings have been issued. The suspension will enable further investigation to take place. The Campus Principal and the CSM Disciplinary Co- **must** be notified immediately of all suspensions. Once informed, the CSM Disciplinary Co-ordinator will confirm the suspension in writing to the student within 3 working days. Where the student is between 16-18 years, parents/carers will be informed by the suspending manager (via phone call). The relevant Head of Year will be appointed who will collate all necessary evidence, i.e. written statements, at this stage.
- b) The Sixth Form has the right to suspend students from training agencies, employers, partner institutions and thereafter the appropriate disciplinary code will apply.
- c) The Head of Year who issues the suspension will need to inform the student of the reasons for suspension and retain the student's ID badge pending an investigation and a formal disciplinary panel. The Head of Year will also be required to complete a suspension report and send it to the CSM Student Disciplinary Coordinator. They must inform the other Head of Year. Where the student is under the age of 18 the Head of Year will also need to inform parents/carers (via phone call).

9. CRIMINAL OFFENCES

- a) Where any member of staff has reason to believe that a student may have committed or may be intending to commit a criminal offence, the Sixth Form may refer the matter to the police and may continue disciplinary proceedings under this procedure or suspend the student pending the outcome of police enquiries and any charges which may be brought against the student. Where the student has been suspended under this provision, when the results of those enquiries and any criminal proceedings are known, the Sixth Form reserves the right to recommence proceedings under this procedure in relation to the matter.
- b) In any disciplinary action relating to alleged criminal offences the Sixth Form is not bound by the results of any criminal proceedings against students.

10. CONDUCT OF DISCIPLINARY AND APPEAL INTERVIEWS

- a) Disciplinary and appeal interviews will be conducted fairly and firmly by the member of staff conducting the interview, and notes will be kept.
- b) The member of staff conducting the interview may exclude from the proceedings any person (including the student or the student's friend, representative or relative) who behaves unreasonably or who disregards the instructions of the member of staff with regard to the interview. If the student does not attend any interview, disciplinary action may proceed in their absence.

11. STUDENTS UNDER 18 / SPONSORED STUDENTS

- a) If a student under 18 years of age is the subject of proceedings under this process, wherever practicable parents/carers will be invited to attend any disciplinary or appeal interviews (in addition to any friend or student representative), unless in the view of the member of staff conducting the interview, such attendance would be prejudicial to a fair and effective interview. If a student under the age of 18 is given a written warning, final written or excluded or suspended from the Sixth Form, a parent or carer will be informed in writing.
- b) If a student who is being sponsored at the Sixth Form by an employer, training agency or a partner institution (i.e. university) is given a written warning, final written warning or excluded or suspended the employer, partner institution or training agency will be informed.

12. SCHOOL PUPILS 14-16 YEARS

- a) Instances relating to the discipline of school pupils will be dealt with in accordance with school/college agreed processes.
- b) Where the College is to take the lead, the process will be as follows:-
 - instances of misconduct will evoke written warnings by the Campus Principal or Head of Year – records will be kept on file
 - repeated instances of misconduct will be treated as a Category 2 and a final written warning may be given to the pupil by the Campus Principal or Head of Year. The school contact will be informed by the Campus Principal or Head of Year.
 - serious misconduct or further instances of misconduct will evoke a “panel hearing” of this procedure
 - the school contact and the parent will be informed by the Campus Principal. The pupil will be suspended from College pending an investigation
 - the pupil will have the right to appeal as outlined in this procedure.

13. STUDENTS/ADULTS WITH LEARNING DIFFICULTIES, STUDENTS WITH ECHPs AND ESOL LEARNERS

Incidents involving adults with learning difficulties will require full liaison with the appropriate Head of Year or Campus Principal at the early stages to ensure that all students involved are given support at all stages. In addition, involvement of key workers, social services or other staff may be required.

The CSM Disciplinary Coordinator will inform the Educational Health Care Plan (EHCP) and Transition Officer of all students who have EHCPs who have been suspended or who will be attending a panel hearing. Any additional support needs will be considered.

The college will need to take account of the need to provide language support for both the learner who may be disciplined and for Parents where English may not be the first language.

Learners may not act as interpreter for their parents where language is a barrier.

Where an interpreter cannot be facilitated as necessary then the hearing will stop and must not be carried out as this will discriminate against the individual and their parents/carers.

14. VARIATIONS AND AMENDMENTS TO THIS CODE

- a) In some cases, it may be desirable that variations should be made to procedural aspects of this code. The Sixth Form 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 disciplinary or 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.
- b) This code may be amended by resolution of the Governors from time to time.

15. MONITORING & REVIEW

The Student Disciplinary procedures will be reviewed and updated by the Campus Principal, Head of Centre and Student Development and Behaviour Manager on an annual basis and approved by the Senior Leadership Team.



Appendix 1
Central Saint Michael's Student Pre-Disciplinary Procedures

