



**Heart of Yorkshire**  
Education Group



## The Heart of Yorkshire Education Group: Student Behaviour Regulations Policy

<b>Lead:</b> Executive Director – Student Experience and Student Support	<b>Status:</b> Approved
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### Equality analysis tool

1.	Is the policy relevant to the public sector equality duty?	No
2.	Have any concerns previously been raised about this policy or practice?	No
3.	Is likely to result in discrimination against a protected group?	No
4.	Does this policy positively contribute to the participation of under-represented groups in the College's activities?	No

### Version Control

Version	Date	Change(s)
1.0	March 2023	N/A: first version for Heart of Yorkshire Education Group

### Policy Aims

The Heart of Yorkshire Education Group Colleges (Castleford College, Selby College, and Wakefield College) provide:

- A secure, welcoming and friendly learning environment where students feel safe, enjoy their learning, and achieve their goals.
- A mechanism to positively support all student behaviours, attitudes, development and progress, appropriate for the world of work and life.
- A process to address examples of where student behaviour(s) drop below expected standards – including isolated and repeated breaches.
- Help to ensure a tolerant and equal student experience through a stated and transparent process – inclusive of an appeals process.
- Embedded British Values of respect, tolerance, democracy, rule of law, and individual liberty to help ensure that all students experience of College is positive, professional, and safe.

## **1 Introduction**

- 1.1 In return for being admitted to the College and being provided with educational and other services and facilities, Heart of Yorkshire Education Group requires its learners to conduct themselves according to the Student Code of Conduct – Appendix 1. This applies to all learners of the College.
- 1.2 Where a learner's conduct falls below the standards expected, the Behaviour Regulation Procedure set out in this document will be followed. Repeated breaches or a single very serious breach of the Code of Conduct may result in a learner being suspended or excluded from the College.
- 1.3 This procedure deals with instances of misconduct. Cases directly relating to examined and assessed work which counts towards a qualification should be dealt with by the relevant policy and procedure for FE or HE provision.
- 1.4 For HE students only, where the procedure refers to the relevant ED (Executive Director), the personnel involved would be the Director of Higher Education. Where the manager/leader of Student Experience (SE) is referred to, for HE students, this would be the HE Student Engagement Co-ordinator.
- 1.5 Implementing this procedure may be an opportunity for the disclosure of a disability or learning difficulty. This procedure still applies to students with additional support needs, however staff are strongly urged to seek further advice from the Additional Support Service to ensure that "reasonable adjustments" are being made and that The Equality Act 2010 is not breached by disciplining learners for a reason related to an aspect of their disability without having offered appropriate support.
- 1.6 Learners with learning difficulties and/or disabilities following FLEX provision have an additional procedure, which will be exhausted before progressing to the standard procedure unless the severity of the behaviour warrants a direct movement to a stage in the standard procedure, e.g., gross misconduct.
- 1.7 All behaviour regulation action will be recorded on College management systems as outlined in the procedure (Appendix 5 & 6).

## **2 Code of Conduct**

- 2.1 When learners enrol at the Heart of Yorkshire Education Group, they are agreeing that they accept the regulations concerning behaviour as described in the Student Code of Conduct – Appendix 1.
- 2.2 When a student behaves in a way that is inconsistent with the College Code of Conduct (Appendix 1), a restorative conversation should be the first action, to understand what happened, who was affected, and what needs to happen to resolve the situation. This process supports the education and adjustment of inappropriate behaviours and where a resolution is agreed, and all parties have been informed, no further action may be necessary dependent on the severity of the matter at hand. A template to guide the restorative conversation is in Appendix 2.

2.3 The Heart of Yorkshire Education Group adopt the Anti-Bullying Alliance definition of bullying as being the *'repetitive, intentional hurting of a person or group by another person or group, where the relationship involves an imbalance of power.'* Behaviour of this nature will be defined as bullying and will be addressed accordingly through actions set out within this policy.

#### 2.4 **Trauma informed practice**

We recognise that inappropriate student behaviour may be related to traumatic stress responses. To effectively maintain a safe and supportive learning environment for all students and staff, College utilise trauma informed practice that avoids re-traumatisation and de-escalates challenging behaviour and is embedded in a system that supports positive behaviour (Appendix 3).

In practice, our approach, will be non-judgemental, affirm positive behaviours and provide both time and space for the student to talk openly about their version of what happened. Where appropriate, and in line with the student's choice, restorative practice and/or peer support will be considered within the process of determining ways that they can repair any harm done.

#### 2.5 **Equality, Diversity and Inclusion**

Appendix 4 – The Heart of Yorkshire Education Group EDI Statement

#### 2.6 **'Professional standard' dress code**

Although we encourage individuality, students are also expected to adhere to a 'professional standard' dress code. This means students should not attend College dressed in a way that would not be seen as acceptable in the workplace and should be appropriate for classroom learning.

Below are some examples of unacceptable dress wear:

- Beach/sun type wear (muscle vests/vests, bralettes, excessively cropped tops, short skirts, dresses, or shorts)
- Clothing with offensive or inappropriate slogans
- Hoods/hats and caps in classes
- Flip flops
- Revealing clothing which could cause offence

Failure to comply with our professional standard dress code could result in behaviour regulation action. Students accessing courses which require PPE must follow guidance from departmental staff.

### 3 **Summary of Stages of the Procedure**

A diagrammatic representation of the procedure may be found in Appendix 5 and Appendix 6 for HE Students. Interventions/steps to engage students (highlighted on Appendix 5) should be used before instigating the formal stages of the Behaviour Regulation Policy. The College advocates a positive behaviour approach. Positive behaviour management means that staff are working to intentionally create interactions which teach students about socially appropriate behaviour, which supports successful learning outcomes, at the same time as protecting dignity and self-esteem.

### **3.1 Informal Action – Steps to engage students**

3.1.1 Minor lapses from acceptable standards of behaviour should be dealt with informally by staff as part of their general management of learners and the learning process. Examples of appropriate interventions to engage students include:

- Restorative conversation (See Appendix 2);
- Modelling appropriate behaviour;
- Restating expectations (Student Code of Conduct);
- Moving seat/work area;
- Use of corrective feedback;
- Use of non-verbal signals and feedback;
- Rule reminder;
- Distraction/diversion;
- Subsequent praise for desired behaviour.

3.1.2 Some examples of such infringements might include:

- Lapses of acceptable standards of behaviour which require documenting;
- Poor behaviour and/or timekeeping;
- Missing/inaccurate kit including student ID badge and/or lanyard;
- Anti-social behaviour and abusive language;
- Incomplete/late submission of work (not applicable to HE students);
- Attendance below expectation;
- Any other problem deemed a cause for concern by staff.

3.1.3 Early intervention should be logged within student records system (ProMonitor/eTrackr).

### **3.2 Stage 1 – Behaviour Regulation Caution**

3.2.1 Stage 1 – Behaviour Regulation Caution should be used when informal action (steps to engage students) has not brought about the required improvements.

3.2.2 Some examples of situations in which it is appropriate to use Stage 1 – Caution include:

- Repeated abusive language;
- Persistent inappropriate or poor behaviour;
- Less than 80% attendance which is having an impact on achievement;
- Repeated incompleteness of work or work which is persistently handed in late without reasonable grounds (not applicable to HE students);
- Repeated causes for concern through the informal stage of the procedure;
- Any other problem deemed to be a behaviour regulation issue by staff, and agreed with the relevant manager/leader of SE.

### **3.3 Stage 2 – Behaviour Regulation Meeting**

3.3.1 Failure to comply with previously agreed action(s) or inappropriate behaviours of a more serious nature should invoke Stage 2 of the procedure agreed by the relevant Student Experience Support Leader (SESL) with the Curriculum Manager.

3.3.2 Some examples of situations in which it is appropriate to use Stage 2 include:

- Deliberate failure to comply with previously agreed behaviour regulation actions/contract;
- Aggressive or threatening behaviour, harassment (including internet and social media related) and vandalism;
- Possession of drugs, psychoactive substances, or alcohol for personal use;
- Deliberate misuse or damage of College equipment.

### **3.4 Stage 3 – Behaviour Regulation Hearing**

3.4.1 Deliberate failure to comply with Stage 2 contract or actions would invoke Stage 3 of the procedure as would serious misconduct and/or any other deemed to be a behaviour regulation issue at this level and agreed by the relevant Student Experience Support Leader (SESL) with the Head of Curriculum (HoC) and the Group Safeguarding Lead, if the conduct relates to a safeguarding issue.

3.4.2 Some examples of situations in which it is appropriate to move directly to Stage 3 include:

- Violent behaviour/Assault;
- Theft/attempted theft;
- Serious breaches of Health & Safety;
- Coming into College under the influence of drugs, psychoactive substances, or alcohol;
- Possession of a weapon;
- Possession of illegal or non-prescribed drugs.

3.4.3 The relevant manager/leader of SE should refer the student to the Student Support Impact Group.

3.4.4 For school-age students, Stage 3 acts as a final warning and a meeting is held with a parent/carer, a school representative and a member of the School Partnerships Team. If the contract is broken, students should be referred at this stage to the Head of School Partnerships & Admissions who will arrange for the student to return to his/her school. This is to avoid a situation in which a school-age student would not be able to progress into College at 16.

### **3.5 Stage 4 – Behaviour Regulation Panel**

3.5.1 Deliberate failure to comply with Stage 3 contract or actions, or gross misconduct would invoke Stage 4 of the procedure.

3.5.2 Some examples of situations in which it is appropriate to move directly to Stage 4 include:

- Harassment, intimidation, or bullying (including internet and social media related);
- Compromising the health and safety of themselves or others;
- Behaviour resulting in significant disruption to the running of the College and/or other services – for example setting off fire alarms or making hoax calls;
- Misuse of the College's network and/or computer systems, including the downloading, storing, viewing or transmitting of sexually explicit and/or racially offensive material or any material deemed to be of a terrorist nature;
- Publication or distribution of material deemed to be racially or sexually offensive;

- Attempts to alter or pervert the examination or assessment procedure;
- Fighting or other violent or threatening behaviour;
- Being under the influence of alcohol and/or other substances.

Any of the following acts which may also be deemed by the law as criminal:

- Behaviour of a racist, sexist or discriminatory nature;
- Malicious damage to, or theft of, the property of other learners, staff, visitors or the College;
- Consumption, possession, selling or distribution of intoxicating, dangerous or controlled substances;
- Violent or aggressive behaviour, including the carrying of weapons, or any other object with the intention of using them in a dangerous or threatening way;
- Fraud;
- Publication/distribution/accessing of material deemed to be of a terrorist nature;
- The malicious communication of a Fire/Bomb Hoax by any means including activation of the fire alarm/malicious call or email/text etc.

### **3.5.3 Investigation into Gross Misconduct**

3.5.3.1 In the event of an incident of Gross Misconduct, the relevant Local College Director and Head of Curriculum will agree which of them will lead the investigation, with the help of the Group Safeguarding Lead if the issues relate to safeguarding. The agreed lead will then undertake the investigation. This investigation may include interviewing witnesses and taking statements by a designated staff member, utilising the template as per Appendix 8. All statements should be signed and dated by the appropriate individuals. Students should be made aware that their autonomised statement may be shared as part of the proceedings. The investigation may also involve consulting with the Student Group Leader/Personal Tutors, or Programme/Course Co-ordinator, Programme Leader for HE, HE Student engagement team, Learning Support Co-ordinator, teachers, and support staff as part of the process of investigating the problem. All reasonable investigations should take place.

3.5.3.2 The lead agreed in 3.5.3.1 will ensure that all statements are suitable to be submitted to the student and Panel members and will not compromise the College's standing and/or reputation when shared externally.

The possible outcomes of this investigation are:

- No further action to be taken if the allegation proves unfounded.
- Progression to a Behaviour Regulation Panel, with the agreement of the relevant Executive Director, where the learner's suitability to remain at the College will be assessed including possible temporary suspension pending a Behaviour Regulation Panel.

### **3.5.4 Temporary Suspension**

3.5.4.1 Learners will only be suspended if the Local College Director or relevant Head of Curriculum considers the offence might ultimately lead to the learner's exclusion from College, or the learner poses a risk to him/herself or others if they remain in College. The relevant director/leader of SE/Head of Curriculum/Duty Manager can action a temporary suspension but must ensure that the relevant Local College Director or Head of Curriculum is advised of this at or before the point of the suspension or immediately

following if unavailable. The student ID badge should be temporarily retained by the suspending manager as part of this process. For High Needs Students, the Head of Inclusion should also be advised. For HE students, the Director of Higher Education should also be advised. In all cases, an Executive Director can suspend due to unavailability of other staff members.

- 3.5.4.2 Where it is decided to suspend the learner pending a Panel, a Local College Director must notify the learner and parent/carer as soon as reasonably possible. The details of these communications should be logged on the student records with clearly stated dates.
- 3.5.4.3 For students who are suspended and are awaiting a Behaviour Regulation Panel, the relevant Head of Curriculum/Programme Leader (HE) must arrange for work to be sent to the student in order that he/she can continue with coursework and does not fall behind unnecessarily. Learners who are suspended from the College will be required to continue with their College work at home.
- 3.5.4.4 There may be circumstances where it is prudent to ask a student to leave College for the day in order to cool-off or so that the facts surrounding an incident can be established. If the student is told to come back into College on the following day, this does not count as a suspension and students should not be told that they are being suspended, excluded or any similar vocabulary. In the case of the student being a High Needs Student, they should be sent to the HUB to cool-off rather than being sent home. If the incident is related to the safeguarding of the student, other students or staff, the Head of Inclusion is to be informed to initiate an Emergency Review with SENART (Special Educational Needs Assessment and Review Team) and other professionals working around the student.

### **3.5.5 Behaviour Regulation Panel**

- 3.5.5.1 A Behaviour Regulation Panel will be convened in any one of the following circumstances:
- Following the investigation outlined in 3.5.3.1 above, the Local College Director or nominated Head of Curriculum considers that the learner may have committed an act of gross misconduct and exclusion should be considered.
  - The learner has breached a Stage 3 Contract and exclusion should be considered due to the seriousness of the breach.

The relevant Local College Director must sanction the initiation of a Behaviour Regulation Panel.

- 3.5.5.2 A PA to the Executive Team will arrange a Behaviour Regulation Panel following an official request by the relevant Local College Director/Head of Curriculum. The PA to the Executive Team will check that the relevant Local College Director has sanctioned the Panel Hearing.
- 3.5.5.3 The PA to the Executive Team will inform the Head of Inclusion a Panel Hearing is to be convened. This will enable the Head of Inclusion to determine whether the student is a High Needs Student. It may be that a multi-agency Panel meeting is a more appropriate solution for a High Needs Students instead of a Panel hearing. The Head of Inclusion will determine this based on the information provided at this point. If a multi-agency Panel meeting is more appropriate; the Head of Inclusion will see that this is arranged.

3.5.5.4 The Behaviour Regulation Panel will be chaired by the relevant Local College Director or an impartial member of the Senior Leadership Team. The Panel will include the Panel chair and two impartial Senior Leadership Team members, and the Director of HE when relating to a HE student. The PA to the Clerk to the Corporation will act as note taker for the Panel. Where there are safeguarding concerns, the Group Head of Student Wellbeing and Safeguarding should attend in an advisory capacity. Where the relevant Local College Director has undertaken the investigation, a further impartial manager should be present on the Panel in replacement of them.

3.5.5.5 The Local College Director, Head of Curriculum or nominated person who has undertaken the investigation should provide an evidence pack to the PA to the Clerk to the Corporation. This should include:

- A summary of the case to be answered;
- Witness statements (*if appropriate*);
- Any other relevant documentation.

The colleague undertaking the briefing should talk through the relevant online ProMonitor/eTrackr records.

3.5.5.6 The Local College Director, Head of Curriculum or nominated person who has undertaken the investigation should check whether or not the learner has learning difficulties and/or disabilities and whether they are in receipt of Additional Learning Support and/or reasonable adjustments. Any relevant information should be included in the verbal briefing at the beginning of the Panel.

3.5.5.7 The Head of the department that the student is currently enrolled will brief the Panel. It may also be appropriate for a member of the Additional Support Team to brief the Panel. The Group Head of Student Wellbeing and Safeguarding may also brief the Panel on previous similar cases if a precedent is required.

3.5.5.8 The PA to the Executive Team will inform the learner by letter, within 5 working days of being informed of the suspension, of the date and time of the Behaviour Regulation Panel and advise that they may be accompanied at the hearing by a parent/carer or friend to support them. The Executive PA will also send the learner information on the Behaviour Regulation Policy. The Executive PA will give at least 5 working days' notice of the date of the hearing.

3.5.5.9 If under 18 at the start of the course, the learner's parent/carer will be invited by letter to attend the hearing. In the event that the parent/carer is, for any reason, unable or chooses not to attend a Behaviour Regulation Panel, the Behaviour Regulation Panel may take place in their absence, at the College's discretion, after reasonable attempts have been made to accommodate the parent/carer, including by rescheduling the meeting/Panel (if appropriate). For the avoidance of doubt, there is no requirement to send a letter of invitation to attend a meeting/Panel to the parent/carer of a student who is over 18 at the start of their course.

3.5.5.10 The Behaviour Regulation Panel will normally be held within 10 days following notification of the date of the Panel, unless additional time for further investigation is required.

3.5.5.11 If the learner fails to attend the Behaviour Regulation Panel, the Panel may consider the case in their absence.



3.5.5.12 The possible outcomes of a Behaviour Regulation Panel (excluding HE students) are:

- No further action to be taken if the allegation proves unfounded
- A Stage 4 Behaviour Regulation Panel Contract, this could possibly include:
  - (a) Change of group
  - (b) Change of campus
  - (c) Working in the HUB
  - (d) Modified programme
  - (e) Partial timetable.
- A recommendation to the Principal to exclude the learner from the College as outlined in 7 below.

3.5.5.13 The possible outcomes of a Behaviour Regulation Panel for HE students are:

- No further action to be taken if the allegation proves unfounded;
- A Stage 4 Behaviour Regulation Contract; this could possibly include:
  - (a) The Student to pay compensation, within a specified period, to the College or to any other person, in the event that the Student's misconduct involved damage to the property of the College or of such other person, to not more than the cost of repair of such damage or, if the property is damaged beyond repair, the value of the property; and/or
  - (b) Agreed actions for change; and/or
  - (c) Require the Student to sign a statement agreeing to modify his/her future behaviour; and/or
  - (d) A note to state the findings of the Student Behaviour Regulation Panel will be placed on the student's personal file, and may be referred to in the event that the School/Centre/University is requested to provide a reference for the student; and/or
  - (e) Notification, where applicable, to the relevant University partner
- A recommendation to the Principal to exclude the learner from the College as outlined in 7 below.

3.5.5.14 The outcomes of a Panel will be sent by letter to the learner and a copy sent to the manager/leader of SE and those identified in 6.2 as appropriate.

3.5.5.15 The outcomes will be recorded by the PA to the Executive Team on the Stage 4 section within ProMonitor/ETrackr and include the details of the letter and any associated contract.

3.5.5.16 Should a learner subsequently breach a Stage 4 Contract, which arose from a Behaviour Regulation Panel, the matter should be referred to the Chair of the Panel for a decision.

## **4 Exclusion**

4.1 Where the outcome is to recommend exclusion, the Principal will review the evidence and confirm (or otherwise) the Panel's decision. A letter confirming the decision reached will be sent to the learner and a copy sent to those identified in 6.2 as appropriate.

4.2 The period for which a learner is excluded from the College will be commensurate with the seriousness of their misconduct but will not normally exceed three years and should be stated.

- 4.3 Learners excluded from the Heart of Yorkshire Education Group, may not enrol on a different course or programme at another College within the Group, or any of its sub-contracted providers during their period of exclusion.
- 4.4 Learners excluded from full-time courses may apply, at the discretion of the Principal, to join a part-time programme of study if they are in employment and sponsored by an employer.
- 4.5 The learner will have the right to appeal against the decision to exclude them in accordance with 5 below.

## **5 Appeals against Behaviour Regulation Panel Outcomes**

- 5.1 If a learner wishes to appeal against a Panel outcome, they must lodge a written notice of appeal with the Clerk to the Corporation within 10 working days of receipt of the letter from the College confirming that outcome. The letter must detail the grounds for the appeal.
- 5.2 Appeals in respect of any Panel outcome will be considered by a hearing chaired by a member of the Executive Team, and two members of the Senior Leadership Team not involved in the original Panel.
- 5.3 The Clerk to the Corporation will make all necessary arrangements for an Appeal Hearing. The Clerk to the Corporation will inform the learner by letter, within 10 working days of receipt of the letter of appeal, of the date and time of the hearing and advise that they may be accompanied at the hearing by a parent/carer or friend to support them. If under 18, the learner's parent/carer will be invited by letter to attend the Appeal hearing. The Clerk will also send information on the Appeal process and a copy of the documentation supplied to the Panel (with learners' names deleted where necessary) to the learner. The Clerk will give 5 working days' notice of the date of the hearing and the hearing itself will normally take place within 15 working days after receipt of the letter of appeal.
- 5.4 The Chair of the original Panel will brief the Appeal Hearing. Other learners and members of staff may also be required to attend the Appeal Hearing.
- 5.5 If the learner fails to attend the Appeal Hearing, the Panel may consider the case in their absence.
- 5.6 The possible outcomes of an Appeal Hearing are that the previous outcome is:
- Confirmed;
  - Substituted with a reduced outcome; or,
  - Withdrawn with no other outcome substituted.
- 5.7 The decision of the Appeal Hearing is final. A letter confirming the decision reached will be sent to the learner, within 5 working days, by the Chair of the Appeal Hearing and copied to those identified in 6.2 as appropriate.

## **6 Managing the Behaviour of Learners**

### **6.1 Staff Responsibilities**

- 6.1.1 All staff have a role to play in regulating the behaviour of learners. It is important for staff to react to situations as quickly as possible and to follow the procedures detailed below. This may range from challenging learners who are smoking in the wrong place, ensuring learners are adhering to ready to learn standards or participating in a Behaviour Regulation Panel leading to exclusion from College.
- 6.1.2 It is the responsibility of teaching staff to ensure that learners are made aware of College expectations and the consequences of unacceptable behaviour at induction and at appropriate times during the year.

### **6.2 Informing Others**

- 6.2.1 If the learner is still of compulsory school age, the relevant school and/or the Local Authority and the Programme Manager: Partnerships will be notified of any Behaviour Regulation action.
- 6.2.2 If the learner is under 18 at the start of the course, parents/carers will be notified of any behaviour regulation action at Stage 1 or above. Any decision not to contact parents/carers of this age group must be made by the Local College Director. This will only occur in exceptional circumstances, for example, if the learner is living independently or a safeguarding related concern. In the case of vulnerable learners who are over 18 – for example, those with a learning difficulty and/or disability – the College may involve parents/carers and/or other relevant agencies if such arrangements are agreed with those learners. For the avoidance of doubt, there is no requirement to notify parents/carers of any behaviour regulation action relating to learners aged 18 or over at the start of their current course.
- 6.2.3 If a learner is sponsored by an employer, that employer will be notified of any behaviour regulation action.
- 6.2.4 In the event of an exclusion, if the learner is a High Needs Students, the relevant Local Authority will be informed, and any appeal should be considered in line with the relevant Local Authority contract.

### **6.3 Learners with Learning Difficulties and/or Disabilities**

- 6.3.1 Learners with additional support needs are entitled to be supported as necessary at all stages of the procedure – for example, by the provision of a learning support worker or communication support worker or by providing information in an alternative format. In such instances, the Head of Inclusion and/or tutors will be informed and involved.
- 6.3.2 Additional Support staff should not act as an advocate for learners as their status means that this may put them in a position with conflicting interests.
- 6.3.3 Following these procedures may identify disabilities or learning difficulties that manifest themselves as behavioural issues or failure to make academic progress. This should be discussed with the learner and referred (if the learner agrees) to the Additional Support Team who will advise the tutor of any “reasonable adjustments” that may be needed. If

the learner does not agree it should be made clear what the consequences of that may be. (In this case, advice can still be sought from Additional Support without disclosing the learner's name).

## **7 Documentation**

- 7.1 It is important that records are made of each stage of the proceedings using the appropriate systems as contracts or other documentation may be called upon as evidence at later stages of the procedure.

## **8 Withdrawal from Course**

- 8.1 If a student withdraws from their course prior to the commencement of behaviour regulation procedures, this will be flagged on the student's record as an outstanding behaviour regulation matter which must be addressed before any subsequent enrolment can take place.

## **9 Policy Monitoring and Review**

- 9.1 All action will be recorded in ProMonitor/ETrackr.
- 9.2 An annual report will be prepared by the PA to the Clerk to the Corporation for presentation to the Executive Team and Governors. This report will contain an analysis of learners involved in behaviour regulation hearings, presented in different datasets.
- 9.3 The Behaviour Regulation Policy will be reviewed, normally every two years, by the Governing Body.

## **10 Criminal Offences**

- 10.1 Where it is believed that a learner may have committed a criminal offence, a member of the Senior Leadership Team may, depending on the offence, refer the matter to the Police and may either continue behaviour regulation proceedings as detailed in this document or require the learner to work at home pending the outcome of Police enquiries.
- 10.2 Where the learner has been required to work at home under this provision, the College reserves the right to recommence proceedings as detailed in this document in relation to the matter when the results of those enquiries and any criminal proceedings are known.
- 10.3 Any behaviour regulation action relating to alleged criminal offences will be based on the genuine belief of the member of staff taking the action after a reasonable investigation and will not require a criminal conviction.
- 10.4 It is emphasised that in relation to the application of this procedure the College is not bound by the results of any criminal proceedings against learners.
- 10.5 Should the Police request information about any of our students in relation to a criminal investigation, this can only be provided on receipt of an appropriate DP7 (data release form) from the Police.

## **11 Time Periods**

- 11.1 Time periods stated in this procedure are for guidance and may be varied by the College if it is not practicable to adhere to them. Written notice of any such variations will be given to the learner.
- 11.2 Periods of days in this procedure are working days rather than calendar days. Documents sent by first class post will be deemed to have been received within 48 hours of posting.

## **12 Variations and Amendments to this Procedure**

- 12.1 In some cases it may be necessary to make variations to aspects of this procedure. The College may make such variations as it sees fit, subject to informing the learner concerned and subject always to considerations of fairness. Such variations may include behaviour regulation, or appeals interviews being conducted by different persons, if the person who should otherwise be conducting the interview is unavailable or has previously had close personal involvement in the matter to be considered.
- 12.2 For clarification on the operation this procedure, learners and staff should contact the PA to the Clerk to the Corporation.

# Appendix 1

## Student Code of Conduct

The Heart of Yorkshire Education Group is an excellent place to complete your studies and College staff will do everything they can to support you to achieve your goals. Studying at Castleford, Selby or Wakefield College is a partnership, we ask for 100% commitment to your studies, excellent attendance and consistent considerate behaviour whether travelling to College, being on a College campus or representing College in any off-site activity. When enrolling at the College, you agree to accept the regulations outlined within this Code of Conduct. Failure to do so may lead to student behaviour regulation procedures.

### We expect you to be ready to learn

1. Meet College expectations and follow rules and standards for all areas in College being compliant and responsive to requests by members of staff;
2. Attend all lessons, on time and be active in all components of your study programme;
3. Inform the College if you can't attend for any reason, following the Student Attendance Policy and inform your employer if you are an apprentice;
4. Complete all exams and assessments which you are entered for;
5. Bring your equipment for classes and wear any uniform that is required including any Personal Protective Equipment;
6. Do not eat or drink in the classroom environment (except for bottled water);
7. Take responsibility for your studies and complete all your homework, coursework and assignments to deadlines, whilst also making the necessary arrangements to complete any work missed.

### We expect you to adhere to British Values and have respect for everyone

8. Be courteous, considerate and respectful to everyone, staff and other students and regardless of any difference in culture, ability, race, religion, gender, age or sexual orientation;
9. Do not participate or accept bullying or jokes that degrade or upset others including any inappropriate behaviour online and on College devices;
10. Smoke or vape only in designated areas around the College premises;
11. Respect the College buildings, equipment and other people's property;
12. Wear suitable clothing for a College and studying environment to avoid causing offence to any individuals or groups;

### We expect you to act and be safe

13. Always Display your student ID card whilst on College premises by wearing your lanyard;
14. Behave in a way to not endanger yourself or others and take reasonable care for the health and safety of everyone;
15. Do not bring any other person on to College premises that does not have permission to be there.
16. Ensure you are not in possession of or under the influence of alcohol, drugs, psychoactive substances or have possession of any weapons;
17. Do not display, participate in or tolerate any extremist behaviour or act, or the exploitation or radicalisation of others;
18. Be vigilant and report inappropriate activity to a member of College staff.

## Appendix 2

### Restorative Conversations

Restorative practice is a term used to describe behaviours, interactions and approaches which help to build and maintain positive, healthy relationships, resolve difficulties and repair harm where there has been conflict.

Restorative conversations allow a victim and/or culprit(s) to demonstrate empathy, they help to demonstrate how to resolve conflict, and most importantly, allow all learners to have a voice.

It's an opportunity for all involved in a situation/matter to express their feelings about their experience(s) and how a situation/matter impacted upon them. When undertaking restorative conversation learners are empowered to share responsibility by using a solution-focused approach, which supports positive change.

Why use restorative conversations?

- To explore/overcome/remove barriers
- To reduce the likelihood of conflict and/or reoccurrence of a situation/matter
- To raise understanding of shared accountability and social responsibility
- To strengthen relationships and to proactively promoting a sense of belonging

What are the important elements to a restorative conversation?

- A strong supportive culture of reflection
- All have the opportunity to say "what happened"/are given a voice
- All have the opportunity to communicate how it made them feel
- Reiteration of high expectations
- Create a plan together that sets all up for success

What are the five steps undertaken during a restorative conversation?

- **Unique perspective**
  - What has happened? Start from the beginning...
- **Thoughts and feelings**
  - What where/are you thinking?
  - What were/are you feeling?
- **Impact**
  - Who has been affected?
  - How have they been affected?
  - What has been the hardest thing for you?
  - What did you think when you realised what had happened?
- **Needs**
  - What do you need to find closure/to move on/for things to be better?
- **Next Steps**
  - What needs to happen now?

Staff are to log a summary of the details via the corresponding meeting/notes type, within the relevant management system (ProMonitor/eTrackr).

## THE TRAUMA-INFORMED PERSPECTIVE

### Problem Focused Perspective

Over-sensitive and reactive

Aggressive behaviour

Refuses help

Repeats abusive relationship patterns

No motivation

Avoids people

Disengaged

### The Trauma-Informed Perspective

Trauma is being re-triggered, resulting in strong emotions

Is always aware of potential threats and relies on anger to stay safe

Shame is triggered when help is offered

Low self-esteem and expectations result in repeated relationship styles

Has depression or PTSD and avoidance is a way to manage discomfort

Way to manage stress and re-triggering

Could be experiencing dissociation from trauma



Reference resource provided by CAMHS



## **Appendix 4**

### **Equality Diversity and Inclusion Policy Statement**

We are committed to achieving equality for all students, staff and other College users, and to ensure that all students, whatever their background, have the opportunity to benefit from excellent and inspirational educational opportunities.

We aim to be fully inclusive, working to eliminate discrimination, promoting equality, and embracing diversity in all that we do. We celebrate the rich variety of people who make up our communities, from different cultures and different ethnic backgrounds. Some may have a disability; others may follow different religions. We may differ in our sexual orientation, languages, or belief systems but we are united by an ambition to succeed and fulfil our potential.

We seek to ensure that no member of the College community receives less favourable treatment on the grounds of their age, disability, gender, gender identity, race, religion or belief, sexual orientation, and socio-economic background. We seek to address any disadvantage suffered previously.

We will tackle discrimination; promote equality of opportunity and good relations between all people. We are committed to providing services that promote equality, value diversity and community cohesion and strive to ensure that everyone is treated with respect and dignity.

#### **Our Commitment**

We are committed to going above and beyond meeting our legal obligations and achieving our targets. We strive for a truly inclusive culture where everyone can thrive to reach their true potential. This means treating people with dignity and respect and recognising the value of individuals. We have an on-going commitment to ensuring that our services meet the varied and individual needs of staff and students.

We will:

- Tackle any gaps in the success, retention or achievement rates for any groups.
- Actively seek to understand and learn from staff and students lived experience through staff and student voice mechanisms.
- Make sure that our employment practices are fair and promote equality.
- Continue to take positive action to address any under representation in the staff, student and Board profile.
- Work to eliminate any barriers that might inhibit the success or progression of any groups of staff or students.
- Actively celebrate the rich diversity of our staff, students and the communities they belong to.

## Appendix 5 – FE Behaviour Regulation Flowchart

Key:  
 SGL – Student Group Leader; PT – Personal Tutor; SESL – Student Experience Support Leader;  
 CDM – Curriculum Development Manager; PL – Programme Lead; SAM – Subject Area Manager;  
 HoC – Head of Curriculum; SSIG – Student Support Impact Group; AVAR – Achievement, Value Added and Retention Review; SLT – Senior Leadership Team.

Stage	Type	Examples of...	Responsibility/Documentation/Action
Informal	Use of Positive Behaviour Techniques	Trivial instances of misbehaviour, low level disruption addressed verbally	On campus and/or classroom management by any staff member - No documentation required  And/or consideration of a restorative conversation, if/as relevant and if all parties agree – record in ProMonitor/eTrackr, as per Appendix 2 guidance
	Cause for Concern	Lapses of acceptable standards of behaviour which require documenting Persistent poor behaviour and/or timekeeping Persistent missing/inaccurate kit – including student ID badge and lanyard Anti-social behaviour & abusive language Incomplete/Late submission of work Unauthorised attendance below 85% Any other problem deemed a disciplinary related issue by staff	Any staff member – academic, management, support, security  Action - Logged within ProMonitor/eTrackr against student within learner comments including any learner agreement.  And/or consideration of a restorative conversation, if/as relevant and if all parties agree – record in ProMonitor/eTrackr, as per Appendix 2 guidance
Formal	<b>Stage 1 Behaviour Regulation Caution</b>	Non-compliance with the Student Code of Conduct and/or RTL expectations Non-compliance with the netiquette standards Repeated abusive language and or persistent inappropriate or poor behaviour <80% attendance which is having an impact on achievement Repeated incompleteness of work or persistently handed in late, without reasonable grounds Repeated Cause for Concerns Any other problem deemed a disciplinary related issue by staff e.g. attendance/punctuality, smoking in unauthorised areas (including E-Cigarettes), external issues being brought into the College	Student Group Leader/Personal Tutor or CDM/PL/SAM = Stage 1 Behaviour Regulation Caution logged  Disciplinary Meeting recorded in ProMonitor/Etrackr – with agreed actions set out in a contract  Notify parent/carer by letter, utilising Campus Admin template, once Written Warning has been issued  Communicated to SESL  And/or consideration of a restorative conversation, if/as relevant and if all parties agree – record in ProMonitor/eTrackr, as per Appendix 2 guidance
	<b>Stage 2 Behaviour Regulation Meeting</b>	Deliberate failure to comply with Stage 1 caution/actions Threatening or aggressive behaviour, harassment, racism/sexism or intolerance of any characteristics protected under E&D, vandalism, plagiarism, bringing into College alcohol, drugs paraphernalia for personal use; deliberate misuse or damage of College safety devices, alarms and/or equipment; threatening behaviour or harassment of other/s; cheating in formal exams or tests; vaping indoors, bullying (including E-bullying), and any off site issue(s) that bring the colleges name into disrepute Any other issue deemed a disciplinary issue at this level and agreed by the SESL	SESL and SGL/PT or CDM/SAM/PL = Stage 2 Behaviour Regulation Meeting logged  Disciplinary Meeting recorded in ProMonitor/Etrackr – with agreed actions set out in a contract. Possible temporary suspension, inline with policy guidance.  Parents/Carers invited to attend the contract meeting, if unable to attend, confirm outcome of the meeting by letter, utilising Campus Admin template  Communicated to college staff by adding a contract comment within the meeting record or Notes (Etrackr)
	<b>Stage 3 Behaviour Regulation Hearing</b>	Deliberate failure to comply with formal Stage 2 contract/actions Dangerous conduct to others/s (e.g. violent, or very threatening, behaviour) whether on campus, within the vicinity of the College or off College premises; stealing from others or from College premises; serious breaches of Health and Safety guidelines; bringing into College a weapon or banned implement; bringing into College illegal drugs, coming in to College under the influence of drugs (including legal highs) or alcohol or whilst participating in College activities. Any other issue deemed a disciplinary issue at this level and agreed by the Head of Curriculum/ SESL and Local College Director (LCD)	SESL and HoC = Stage 3 Behaviour Regulation Hearing logged  Disciplinary Meeting recorded in ProMonitor/Etrackr – with agreed actions set out in a contract. Possible temporary suspension, inline with policy guidance.  Parents/Carers invited to attend the contract meeting, if unable to attend, confirm outcome of the meeting by letter, utilising Campus Admin template  Communicated to college staff by adding a comment within the meeting record or Notes (Etrackr)  SESL to refer to Student Support Impact Group (SSIG) and to discuss within relevant AVAR
	<b>Stage 4 Behaviour Regulation Panel</b>	Deliberate failure to comply with Stage 3 contract/actions  Gross Misconduct	Panel of SLT members to be formed, where possible always to include the LCD within the panel of 3 3 x Possible outcomes – exclusion, return with no adjustments, return with adjustments – including a contract Stage 4 Behaviour Regulation Panel recorded in ProMonitor/Etrackr – with agreed actions set out in a contract.  Communicated to college staff by adding a comment within the meeting record or Notes (Etrackr)  SESL to refer to Student Support Impact Group (SSIG)

## Appendix 6 – HE Behaviour Regulation Flowchart

Stage	Type	Examples of...	Responsibility/Documentation/Action
Informal	Use of Positive Behaviour Techniques	Trivial instances of misbehaviour, low level disruption addressed verbally	On campus and/or classroom management by any staff member - No documentation required  And/or consideration of a restorative conversation, if/as relevant and if all parties agree – record in ProMonitor/eTrackr, as per Appendix 2 guidance
	Cause for Concern	Lapses of acceptable standards of behaviour which require documenting Persistent poor behaviour and/or timekeeping Persistent missing/inaccurate kit – including student ID badge and lanyard Anti-social behaviour & abusive language Incomplete/Late submission of work Unauthorised attendance below 85% Any other problem deemed a disciplinary related issue by staff	Any staff member – academic, management, support, security  Action - Logged within ProMonitor/eTrackr against student within learner comments including any learner agreement.  And/or consideration of a restorative conversation, if/as relevant and if all parties agree – record in ProMonitor/eTrackr, as per Appendix 2 guidance
Formal	Stage 1 Behaviour Regulation Caution	Non-compliance with the Student Code of Conduct Non-compliance with the netiquette standards Repeated abusive language and or persistent inappropriate or poor behaviour <80% attendance which is having an impact on achievement Repeated Cause for Concerns Any other problem deemed a disciplinary related issue by staff e.g. attendance/punctuality, smoking in unauthorised areas (including E-Cigarettes), external issues being brought into the College	Programme Leader = Stage 1 Behaviour Regulation Caution logged  Disciplinary Meeting recorded in ProMonitor/Etrackr – with agreed actions set out in a contract  Notify by letter, utilising Campus Admin template, once Written Warning has been issued  Communicated to HE Student Engagement Co-ordinator  And/or consideration of a restorative conversation, if/as relevant and if all parties agree – record in ProMonitor/eTrackr, as per Appendix 2 guidance
	Stage 2 Behaviour Regulation Meeting	Deliberate failure to comply with Stage 1 caution/actions Threatening or aggressive behaviour, harassment, racism/sexism or intolerance of any characteristics protected under E&D, vandalism, plagiarism, bringing into College alcohol, drugs paraphernalia for personal use; deliberate misuse or damage of College safety devises, alarms and/or equipment; threatening behaviour or harassment of other/s; cheating in formal exams or tests: vaping indoors, bullying (including E-bullying), and any off site issue(s) that bring the colleges name into disrepute Any other issue deemed a disciplinary issue at this level and agreed by the HE Student Engagement Co-ordinator	HE Student Engagement Co-ordinator = Stage 2 Behaviour Regulation Meeting logged  Disciplinary Meeting recorded in ProMonitor/Etrackr – with agreed actions set out in a contract. Possible temporary suspension, inline with policy guidance.  Student invited to attend the contract meeting, if unable to attend, confirm outcome of the meeting by letter, utilising Campus Admin template  Communicated to college staff by adding a contract comment within the meeting record or Notes (Etrackr)
	Stage 3 Behaviour Regulation Hearing	Deliberate failure to comply with formal Stage 2 contract/actions Dangerous conduct to others/s (e.g. violent, or very threatening, behaviour) whether on campus, within the vicinity of the College or off College premises; stealing from others or from College premises; serious breaches of Health and Safety guidelines; bringing into College a weapon or banned implement; bringing into College illegal drugs, coming in to College under the influence of drugs (including legal highs) or alcohol or whilst participating in College activities. Any other issue deemed a disciplinary issue at this level and agreed by the Head of Curriculum and Director of Higher Education	HE Student Engagement Co-ordinator and HoC = Stage 3 Behaviour Regulation Hearing logged  Disciplinary Meeting recorded in ProMonitor/Etrackr – with agreed actions set out in a contract. Possible temporary suspension, inline with policy guidance.  Student invited to attend the contract meeting, if unable to attend, confirm outcome of the meeting by letter, utilising Campus Admin template  Communicated to college staff by adding a comment within the meeting record or Notes (Etrackr)  HE Student Engagement Co-ordinator to refer to Head of Higher Education and to discuss within relevant AVAR
	Stage 4 Behaviour Regulation Panel	Deliberate failure to comply with Stage 3 contract/actions  Gross Misconduct	Panel of SLT members to be formed, Director of Higher Education to be included within the panel of 3  3 x Possible outcomes – exclusion, return with no adjustments, return with adjustments – including a contract  Stage 4 Behaviour Regulation Panel recorded in ProMonitor/Etrackr – with agreed actions set out in a contract.  Communicated to college staff by adding a comment within the meeting record or Notes (Etrackr)  Director of Higher Education to notify the relevant University Partner where appropriate

## Appendix 7

### Ready to Learn Example – Displayed in Colleges with relevant college logo

**RTL** Wakefield College

# Classroom Areas

ARE YOU **READY TO LEARN?**

- Be responsible** (Icon: Notepad and pen)  
Join in discussion, ask questions and take responsibility for your own learning.
- Dress for College** (Icon: Hanger)  
Wear suitable clothing for College. Remove hats, hoods and coats.
- Attendance counts!** (Icon: Clock)  
Attending all lessons and arriving at College on time supports your success.
- Focus on learning** (Icon: Mobile phone)  
Switch your mobile phone to silent and leave it in your bag, unless your tutor asks you to use it for a task.
- Be respectful** (Icon: Handshake)  
During class discussions, be polite when speaking, take your turn and listen carefully to others.
- Keep hydrated** (Icon: Water drop)  
Only drink water in the classroom. No other food or drinks allowed.
- Aim high** (Icon: Cloud)  
When you work hard on your course, you have the best chance of being successful.
- Be safe** (Icon: ID badge)  
Always wear your ID badge; it needs to be seen to ensure we safeguard one another.

## Appendix 8

### Witness Statement of information

<b>Student Name</b>		<b>ID Number</b>	
<b>Course(s)</b>			

#### Describe in your own words what has happened?

*Provide as much factual information as you can. This should be an account of what you saw or experienced and should not be something that you've heard from someone else and try to put this in the order which it happened*

*\*continue over the page as required*

#### Who was involved?

*Where possible, please give full names and state how you know them, if you do. If you are unsure of names, then please provide a description of the people/person involved*

#### Where did it happen?

*Be specific and give detail of this*

#### When did it happen?

*Please provide date(s) and time(s)*

#### Do you have any further evidence to support your statement of information?

*Do you have any footage, online messages or other witnesses who could support this statement? If so, please provide detail below*

***I have provided the above statement and agree to this being used by College as part of their investigation and as part of disciplinary procedures if required.***

<b>Signature</b>		<b>Date</b>	
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**Describe in your own words what has happened?**

...Continued

***I have provided the above statement and agree to this being used by College as part of their investigation and as part of disciplinary procedures if required.***

<b>Signature</b>		<b>Date</b>	
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## Appendix 9

### CCTV Evidence Access Release Form

Complete boxes one and two, and then return the form to Estates Manager or Services Manager for processing	
Name of person making the request	
Organisation/Curriculum/Service Area	
Address (if applicable)	
Tel/ Ext	

<b>Details of image to be viewed, copied or printed</b>	
Date and approximate time	
Description of clothing	
Campus/ building/ location	
Reason for request	

<b>The Heart of Yorkshire reference of request – completed by Estates</b>			
Authorising signature		Date	
Request granted	Yes / No	Reason for refusal	
College ref		Data released	

<b>Enforcing Authority request – completed by Estates</b>			
College ref no.			
Issued to			
Police crime No.		Request for Disclosure of Information form received	
Date issued		Issued by	
<b>I hereby acknowledge receipt of the above storage device/ printed copy of the images</b>			
Signed		Print name	