



## Truro and Penwith College Behaviour Policy

### 1. INTRODUCTION

The Truro and Penwith College Behaviour Policy aims to promote outstanding relationships and enhance good behaviour, self-discipline, and respect. The College tries to keep its rules and regulations to a minimum. Everyone in the College community is expected to behave in a mature manner and to show care and consideration for the welfare of others. Students are expected to work hard and take responsibility for their own learning.

Every student should be supported to complete work to the very best of their ability, so that they can achieve their personal best. Every member of the College community is expected to behave in a considerate way towards others. All students will be treated fairly, and this Behaviour Policy will be applied and monitored in a consistent way.

The need for disciplinary action should be rare. The College will make every effort to ensure that students are aware of their entitlements as well as their responsibilities and obligations. Disciplinary matters will be dealt with fairly and firmly by staff and students will have the opportunity to respond to any allegation of misconduct.

### 2. SCOPE AND PURPOSE

The Truro and Penwith College Behaviour Policy refers to the Student Code of Conduct (Appendix 1) to which students are expected to adhere. Section 2 of this document is the Student Disciplinary Procedure, for use when support and encouragement have not produced intended improvements.

This Policy, the Code of Conduct and the Student Disciplinary Procedure apply to all students and apprentices of the College, full or part-time and whether or not their course is validated by, or associated with, any other institution. It applies at all times during the year when undertaking College related study or business, whether or not during College terms.

It also applies to students who are undertaking work experience, on official College trips and visits and during programmed learning/recreational activities on premises other than those belonging to the College. The Code of Conduct is made known to all students through

- Induction Meetings
- Tutorials
- Course Information

The following standards are those expected of students enrolled at Truro and Penwith College. They are linked to other College Policies as indicated at the end of each paragraph. Although the need for disciplinary action should be rare, all of the standards are linked to the Student Disciplinary Procedure.

There is an indication of the level of sanction which may be applied at the end of each standard. These relate to the Student Disciplinary Procedure and are not intended to be prescriptive.

### **a. Attendance and Punctuality**

It is taken as given that, when a person chooses to enrol at Truro and Penwith College, they are doing so to achieve meaningful qualifications through exemplary levels of behaviour and attendance. We do not offer on-line, remote or hybrid teaching programmes and all teaching is delivered in College.

Support is available for all those needing assistance or facing difficulties to achieve this, whether or not they have Special Needs or an Education and Health Care Plan (EHCP).

If attendance declines without certified, notified reason for genuine need (for example absence for short-term medical reasons) students may be referred to either to the Student Disciplinary Procedure or Fitness to Study Policy. We aim for all our students to achieve 100% attendance and will start to challenge those who fall below our minimum target of 90%. It is our expectation that holidays are only taken during College holiday periods and not in term time.

*If initial reminders and support do not bring about improvement, a sanction under **Stage 1a** may be applied and recorded on tracking by any member of teaching staff, tutors or curriculum managers.*

*Refer to the **Student Code of Conduct** and the **Attendance Policy** for further details*

### **b. Academic Performance**

Upon joining the College, students have chosen to be at Truro or Penwith College and are following an academic or vocational path which leads towards their intended career progression. All students who wish to study here are expected to adhere to and sign, the 'Truro and Penwith College Code of Conduct'. This is a contract which outlines the commitment required of students who join us and provides mutual expectations of behaviour.

It is expected that as a Truro and Penwith College student, commitment and pride is taken with work completed both in and out of class. All work should be completed and submitted on time unless there are genuine, notified reasons for any permitted extension under awarding body guidelines.

If students are not on target with college work or meeting our expectations of effort, then in the first instance the subject or module lecturer will intervene.

*If initial reminders and support do not bring about improvement, a sanction under **Stage 1a** may be applied and recorded on tracking by members of teaching staff, tutors or curriculum managers.*

If failure to complete work on time or the required standard continues, then Programme Team Leaders or their Deputies will intervene, and Parents/Carers will be involved. Targets will be set for the required improvements and recorded on Student Tracking. Sanctions from the Student Disciplinary Procedure may be applied, and it must be understood that this may eventually lead to withdrawal or exclusion from Truro and Penwith College.

*If, following the meeting with parent/carers, improvements are not made, a sanction under **Stage 1b** may be applied and recorded on tracking by Programme Team Leaders or their Deputies.*

*Refer to the **Student Disciplinary Procedure** for further details*

#### **c. Conduct in and around the College Campus and During College Related Activity**

It is expected that in and around the College environment, students act in a mature and positive manner. This includes on journeys into and out of College, on trips and visits and at work placements. Students are expected to adopt a professional approach to their studies and behave in a respectful and considerate way towards others. Personal dress codes should reflect this.

ID badges must always be worn on Campus and should be clearly visible. This is a requirement for identification and enrolment verification purposes. Parking on campus is only permitted for approved vehicles displaying a Parking Permit of the appropriate class. Accessible Blue Badge parking is, without exception, only to be used by badge holders approved by the Government scheme and displaying the Blue Badge.

*If reasonable requests and reminders are ignored do not stop the behaviour, a sanction under **Stage 1a** or **Stage 1b** may be applied and recorded on tracking by members of teaching staff, tutors or curriculum managers.*

*Serious infringements which constitute Gross Misconduct may result in suspension and sanctions up to **Stage 2b** being applied.*

*Refer to the **Student Code of Conduct** for further details*

#### **d. Bullying and Harassment**

Bullying is offensive, intimidating, malicious or insulting behaviour, or an abuse or misuse of power as a means to undermine, humiliate, denigrate, or injure the recipient. Bullying can include the use of personal strength or the power to coerce through fear or intimidation. Bullying may be physical, verbal, or non-verbal. It can include conduct that is not face-to-face, including via text message, email, social media or via a third-party.

Bullying or harassment are not acceptable under any circumstances at Truro and Penwith College.

*Any student found to be responsible for bullying or harassment may face disciplinary action, with sanctions up to and including being permanently excluded from Truro and Penwith College.*

*Refer to the **Bullying and Harassment Policy** for further details*

#### **e. Social Media and E-Communications**

Assume that all content posted on social media platforms is permanent and potentially public, even if posted in restricted groups. What may be considered as seemingly innocent information, photographs, videos, opinions, or comments are vulnerable to misrepresentation and may be subject to unauthorised distribution via the internet. Consider their impact on others.

Do not post anything which might damage your reputation or that of others. Report inappropriate posts to a member of staff and be aware that friendships developed on-line may not be as they appear.

If any student has cause for concern regarding use of the internet or social networking, they should report the incident immediately to a member of staff. There may be occasions where this will be treated as a safeguarding issue.

*Students may and should seek support from staff with any concerns about social media. Any student found to be using social media maliciously may face disciplinary action, with sanctions up to and including being permanently excluded from Truro and Penwith College.*

*Refer to the **Social Media and E-Safety** for further details*

#### **f. Equality, Diversity, and Inclusion**

Truro and Penwith College seeks to be welcoming and inclusive. The College aims to provide a learning and working environment which values everyone equally and does not disadvantage individuals by discriminating on any grounds, including age, disability, gender reassignment, marriage or civil partnership, pregnancy or maternity, race or ethnicity, religion or belief, gender, and sexual orientation.

We will maximise the opportunities for all students to achieve their individual learning outcomes by developing all teaching and learning materials to be as accessible to all students as possible. Where possible, all new and existing College buildings are fully accessible and where this is not possible, alternative access to the curriculum is arranged. All students are set high standards in order to establish mutual respect, outstanding behaviour, and positive reinforcement.

*Refer to the **Equality, Diversity, and Inclusion Policy** for further details*

### **g. Malpractice, Cheating or Plagiarism**

We are duty bound to ensure that all achievements in College are honestly and fairly obtained. Any act which in any way compromises or threatens the integrity of the assessment process and validity of results is malpractice. This may occur in classroom learning, homework, assignments or examination settings. It may involve passing someone else's work off as your own, colluding with others and the presenting the results as individual work, copying from another source, false declarations or pretending to be another person to sit an assessment or examination. Where malpractice is proven, this centre will inform the relevant Awarding Body and take advice on suitable penalties / sanctions. In addition, the College may invoke the college disciplinary procedure leading to possible suspension and exclusion.

*Refer to the **Malpractice and Maladministration Policy** for further details*

The above descriptors are not intended to be exhaustive or prescriptive. They should be used as indicators for consistent and fair application of student discipline.



## Truro and Penwith College Student Disciplinary Procedure

### 1. DISCIPLINARY PROCEDURE

We set high standards from the outset in order to help students establish excellent regular attendance and positive behaviours from the start. This includes all staff supporting behaviour management by regularly clarifying and reinforcing learning and social behaviours in line with the ethos of Truro and Penwith College. Positive recognition of good conduct or progress reinforces an appreciation of excellent behaviour. Early intervention by all staff is needed where there is poor behaviour or approach to learning and/or unexplained absence.

All paid or approved staff have statutory authority to discipline students whose behaviour is unacceptable, who break College rules or who fail to follow the reasonable instructions of a member of staff (section 91 of the Education and Inspections Act 2006). This policy supports the legitimate and equitable means applied to manage behaviour at Truro and Penwith College and during College related activities.

It is anticipated that many students will receive an occasional sanction during their time with us. As students mature and become more self-disciplined the majority of student/staff contact will be positive and enthusiastic. With consistent reinforcement from all staff, students should quickly become accustomed to operating within the boundaries of our Student Code of Conduct.

Poor Student behaviour generally falls into two categories: Misconduct or Gross Misconduct.

#### 2.a) MISCONDUCT

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

- Breach of the Students' Code of Conduct as set out in College materials, and at Appendix 1.
- Damage to, or theft of, the property of others
- Smoking, or using a vaping device on or around the College campus, except in designated areas.
- Noisy, disruptive, or unruly behaviour.
- Copying or plagiarism
- The use of unacceptable language, aggressive or abusive gestures on or around campus.
- Uninvited interruption to any College class or activity.

- Intimidation or general harassment of another person directly, by electronic means or via a third party
- Behaving in a manner in public when on recognised college activity or time, which brings the College into disrepute

## 2.b) GROSS MISCONDUCT

Any particularly serious cases of **Misconduct** may be treated by the College as **Gross Misconduct** and escalate directly to the second stage of the Disciplinary Procedure. In addition, examples may include:

- Possession or being under the influence of any behaviour changing substance, including, but not limited to, controlled drugs, alcohol, aerosol or substance vapour or the intentional excessive intake of caffeine or high energy drinks with prescribed medication.
- Deliberate damage to, or violence towards, property of the college or another person.
- Persistent harassment or bullying of any nature.
- Sexual harassment and unwanted or repeated physical attention.
- Discriminatory behaviour or language which is homophobic, racist, sexist or by any other means offensive to others.
- Examination malpractice or false submission of others work as your own
- Accessing or possession of indecent or inappropriate images, information, or materials
- Theft or deliberate vandalism.
- The possession of an illegal weapon or item intended to cause physical harm

Where any person is reasonably believed to be acting illegally, the College may inform the police and require the person to leave the premises immediately. They may be suspended pending an investigation and any police guidance.

In other instances of Gross Misconduct it may be also necessary or prudent to suspend one or more students involved. This is to allow investigation of the circumstances, recovery from substance misuse or when physical violence has occurred to allow a cool-off period or treatment.

### SUSPENSION PENDING A DISCIPLINARY INTERVIEW

There may be circumstances during after an incident where suspension from College pending the holding of a formal disciplinary meeting may be appropriate. The decision to suspend **can only be made by a member of SMT or PTL designated by a member of the senior team** for the area the student is in.

Suspension should only be imposed after careful consideration, and it should be made clear to the student that it does not imply any assumption of guilt and that it is not considered a disciplinary act in and of itself. The suspending manager should check student's personal circumstances before the suspension to ensure adequate support. This should include home support,

additional learning needs, safeguarding situation, ability to travel home and access to the home environment when they arrive. If public transport is not available or acceptable, taxi transfers may be arranged. The PTL or tutor should ring home and explain why the suspension has occurred and indicate the next steps.

Any necessary period of suspension pending a disciplinary meeting should be kept as brief as possible. A student who is suspended from College shall, throughout the period of suspension, continue to be entitled to contact staff via email and access on-line resources for the sole purpose of continuing their studies or accessing Student Support services. They may also be authorised to attend any external examinations or assessments. Bursary payments will continue until the Disciplinary Procedure is concluded.

### 3. DISCIPLINARY SANCTIONS

At all stages of the Disciplinary Procedure, the student will be given ample opportunity to give their explanation of events and any other mitigating information.

Following consideration of all known information, the disciplinary interviewer will confirm the outcome of the interview or conclude, on the balance of probability, what has occurred and apply an appropriate sanction.

Sanctions have very clear objectives:

1. To formally indicate to students that they have done, or are doing, something which is unacceptable
2. To provide clear guidance on what is needed and expected to improve their standards or behaviour
3. To form a link to the more serious stages of the Disciplinary Procedure if the behaviour escalates, is repeated or becomes more serious

At all stages it is prudent to remember that any sanction applied is based on first-hand information or clear evidence, not hearsay or supposition. The judgment made is generally on 'the balance of probability' of the incident occurring. Only rarely does the information amount to an outcome of 'beyond reasonable doubt'.

#### **STAGE 1a – resulting in a VERBAL WARNING**

Most instances of misconduct, poor attendance or academic underperformance will be identified and dealt with quickly and informally by an appropriate member of the College staff. Any member of staff may see a student privately and immediately and issue a **Verbal Warning** for a misdemeanour.

The **Verbal Warning** will be recorded on **Student Tracking** and state succinctly what happened and what improvement is required.

#### **STAGE 1b – resulting in an OFFICIAL WARNING**



Where the misconduct is repeated, or considered to warrant more formal treatment, the student may be referred for a meeting with a **Course or Subject Leader, DTL or PTL** to explain their behaviour.

**Parents/carers must be invited by letter, email, or phone call** to attend, and be given the opportunity to offer any mitigating information. Sufficient notice will be agreed with or given to parent/carers to allow them time to arrange to attend.

The student perspective will be considered before any warning is given. An **Official Warning** will be issued and recorded on **Student Tracking**. The Official Warning will include the reasons for the warning and the consequences of further misconduct. There will be clear conditions set for improved performance or conduct. The emphasis should be on establishing practical measures to avoid recurrence. Parent/carers will be informed of the outcome if not attending the meeting.

### **STAGE 2a – Resulting in a FORMAL WRITTEN WARNING**

Where the misconduct is of a more serious nature or where similar conduct has been repeated after one or more **Verbal or Official Warnings**, the student may be referred to attend a **Formal Disciplinary Interview** with a member of the Senior Management Team, most usually the **Director of Operations or Director of Penwith College**.

The parent/carers of students aged under 18 will be notified in writing, five days in advance of the interview and invited to attend. The letter will detail the specific reason for the interview and any previous actions taken or sanctions given for similar conduct. The letter may be recorded for confirmation of receipt and may be copied as a PDF by email if requested.

The senior member of staff who conducts the interview shall be accompanied by a PTL or DTL who will make notes of the discussion and outcome. The outcome will be conferred verbally at the interview and confirmed in writing within ten working days. The letter will explain the **Right of Appeal**.

### **STAGE 2b – Resulting in a FINAL WRITTEN WARNING or EXCLUSION**

Where any incident involves serious physical assault of any nature, possession of a weapon which indicates potential to cause physical harm, illegal or indecent images or any quantity of an unknown substance which indicates intention to supply, the student will be immediately **Suspended** pending a **Formal Disciplinary Interview** with a member of the Senior Management Team, most usually the **Director of Operations or Director of Penwith College**.

The student (and the parent/carers of an under 18-year-old) will be given five working days' notice of the interview. The notice will state the nature of the misconduct and the student's entitlement to accompaniment by a member of the family or designated carer/support worker. **The letter will state the fact that the interview may result in the recommendation that he/she be permanently excluded from Truro and Penwith College**. The decision to Exclude is a rare outcome generally reserved for circumstances where the

ongoing behaviour is a danger to others and sufficient assurance that it will not be repeated cannot be obtained.

## **STAGE 2b – Resulting in a PERMITTED WITHDRAWAL**

In rare or exceptional circumstances, the personal background of a student may warrant a more individual response when behaviour, conduct or a single incident reaches the threshold for exclusion and the student has chosen not to voluntarily withdraw.

Permitted Withdrawal is utilised when social circumstances, learning difficulties or behavioural challenges render the continuation of the student at College a risk to themselves, staff or peers, or where the conduct is having a significant impact on the learning of others.

Such withdrawals are different to withdrawals under the Fitness to Study Policy which have significant, substantiated medical or mental health conditions underpinning the College's decision.

The Permitted Withdrawal has the same technical status as an Exclusion but avoids added negative connotations for often complex lives going forward. If a parent/carer, or external agency, refuses the option of Permitted Withdrawal, Truro and Penwith College reserve the right to Exclude the student if circumstances warrant.

## **APPEAL AGAINST STAGE 2 OUTCOMES**

In the case of **Formal or Final Written Warning or Exclusion**, the student will have the right of appeal to the Principal. An Appeal may be made when the student believes the procedure has not been correctly applied or that the decision is disproportionate or unjust.

The Appeal must be in writing and lodged with the Principal's Secretary, Lisa Jones, within five days of the date of receipt of the letter of recommendation. It should state the grounds and particulars of the substance of the Appeal. If an Appeal is lodged within the time allowed, the Principal will review the process and consider the available evidence. If there are flaws in the process or outcome, or ambiguity in the decision reached, an interview with the Principal may be required.

The student will be given at least five days' notice of the date, place and time of any interview and of his/her right to be accompanied by a parent/carer or appropriate support worker.

In either event the decision by the Principal will be final and confirmed in writing to the student within fourteen days of the Appeal, copied to parents/carers.

## **COMPLAINTS**

Complaints about the Disciplinary Procedure, or the way in which it was applied, should be made in accordance with the Truro and Penwith Complaints Policy, a copy of which is available from Curriculum or Senior Secretaries at Truro and Penwith College.

## STUDENT CODE OF CONDUCT

### As a College we will

- Value people equally regardless of age, disability, gender, race, religion, sexual orientation and transgender status, in accordance with the College's 'Equality and Diversity' policy
- Provide a safe and secure environment in which to learn
- Support you in your learning and set targets which are challenging but achievable
- Ensure that assessment of your learning is clear, regular and constructive
- Give you regular feedback on your progress with guidance on how to improve
- Provide information to your parent/carers on your attendance and achievement
- Offer opportunities to improve your health and wellbeing
- Offer advice and guidance on careers and progression opportunities
- Provide opportunities for you to give us feedback and deal with any complaints fairly and promptly

### As a Student, we expect you to

- Aim for 100% attendance at all timetabled classes, academies and workshops
- Be punctual for all classes, arriving ready to participate and learn
- Make learning successful for everyone by behaving in a way that promotes a co-operative, positive and productive learning environment
- Complete work to the requirements set by your course and lecturers, meeting all required deadlines
- Respect the rights of others, actively embracing equality and diversity, and by reporting inappropriate and unsafe behaviour
- Seek help when needed and take up any support offered to you
- Wear your Student ID badge at all times on the lanyard provided
- Protect the College environment by not eating and drinking in classrooms, disposing of litter appropriately and recycling items where you are able

### What we will not accept in College

- Any form of bullying, intimidation, discrimination or harassment
- Any form of physical, emotional or verbal threats to someone else, in person, via electronic communication or through a third party
- Being under the influence of illegal drugs, solvents, alcohol or any other behaviour changing substance. The supply or possession of any of these items on College grounds
- The carrying of any weapon, or item intended to be used as a weapon, whether legal or not
- Inappropriate or abusive language to any other student, member of staff or visitor to the College
- Inappropriate use of IT, viewing of indecent, illegal or inflammatory content online, cyber bullying or interference with College systems
- Behaviour which causes disruption to the learning of others
- Malpractice, plagiarism or copying the work of others and passing it as your own
- Deliberate vandalism, graffiti or defacement of College property
- Littering, spitting or depositing chewing gum around the College grounds
- Smoking or vaping in any area other than places designated for that use