



# **STUDENT CODE OF CONDUCT**

**With supporting documents  
BSFC Expects  
Learning Agreement  
Exclusion Procedures (including appeal process)**

# **STUDENT CODE OF CONDUCT**

## **Context**

### **Mission Statement**

BSFC's mission is to provide High Quality Education for All with a vision to be an Outstanding College by 2012. This will be accomplished by meeting the individual learning needs of students within the curriculum, supporting students to achieve via the guidance programme and working in partnership with other organisations.

The Student Code of Conduct supports the College Learning Agreement and BSFC Expects in the achievement of the College Objectives.

The College has developed a clear policy with respect to the conduct of students, which emphasises self-discipline and encouragement for students to develop high standards in all aspects of College life. This policy is explained to students through documentation which is provided to all students on entry to the College, and is reinforced at various times and through various means during the student's stay at College.

Incidents of misconduct are comparatively rare for an institution of this size. It is necessary however, to have a Code of Conduct to deal with the incidents which do take place. The procedures explained in the Code have now existed at the College for a number of years (see appendices). The Code brings all existing procedures together in one document, introduces the terms, Misconduct and Gross Misconduct and outlines approaches to both.

### **Learning Agreement**

On admission to the college, all students and parent(s) / guardian(s) are required to sign a Learning Agreement (**appendix 1**), which introduces them to the high standards of behaviour and commitment that are expected of them. This is a major element in emphasising the College's policy of self-discipline in the achievement of high standards. A copy of the Learning Agreement is in the student handbook that all students receive at the beginning of each year.

### **BSFC Expects**

Students are also introduced to our framework of expectations – BSFC Expects (**Appendix 2**). Students receive a leaflet before enrolment and it is further reinforced through their induction process both in subjects and with personal tutors

Vision – to be an Outstanding College

## **Misconduct & Gross Misconduct**

Student misconduct can be divided into two categories: Misconduct and Gross Misconduct.

- (a) Misconduct would include consistently poor attendance, unauthorised term time holidays, poor punctuality, failure to complete work, disruptive behaviour, smoking anywhere other than the designated area, rudeness to staff or other students, careless treatment of college property and lack of regard for other students, amongst others.
- (b) Gross Misconduct might include fighting, alcohol and drug abuse, severe verbal abuse, bullying or harassment, theft, wilful destruction of property and other similar offences.

The two types of misconduct would be dealt with according to their seriousness and at the discretion of the Principal. In most instances 'misconduct' will be dealt with by the student's personal tutor whereas 'Gross Misconduct' would be referred directly to the Director of Student Services or Assistant Principal (Student Services).

## **Procedure for Misconduct**

While many students will go through College observing the Learning Agreement, some will make minor transgressions. The College's procedures for behaviour (appendix 3) and referral system (appendix 4) will deal with these.

The College's Referral System is a documented procedure, which exists to deal with persistent offenders and sits alongside the college's Behavioural Procedures.

Ultimately, when the range of sanctions available to the College has been exhausted, recourse can be made to either temporary or permanent exclusion.

## **Procedures for Gross Misconduct**

More serious offences should be dealt with rather differently because of the need to act swiftly.

The first step should always be a referral to the Director of Student Services or one of the Lead Tutors who will conduct a thorough investigation and will decide how to deal with the offence.

At a minimum the student will be given a severe warning regarding future behaviour, involving parents either in person and / or by letter.

In some situations, the Director of Student Services or Lead Tutor may recommend that the College moves straight to exclusion as described in the documented procedure (appendix 6)

## **Contract**

At the beginning of each year some students are identified as having had problems in their previous year, such as patchy attendance and underachievement whether it be at college or their previous school.. These students are put on contract, which is a form of accelerated referral combined with an acknowledgement by parents and the student that a failure to achieve acceptable standards on contract will result in the student being asked to leave college. The prime purpose of the contract system is to re-motivate the student. The contract system is described in a further document, with the contract that students sign and an example of the letter sent to parents.

## **Sapien**

- Both subject and personal tutors are able to record information about the progress or otherwise of a student.
- The student will have access to what has been recorded about them
- The information available on Sapien will be useful and supportive to all staff when having discussions with students (and parents) about behaviour, work, attendance and punctuality

## THE REFERRAL SYSTEM

Tutors using Sapien and Bromcom information will deal with concerns associated with overall attendance at College.

In the first instance subject teams will work with the behavioural procedures and tackle subject related problems e.g. insufficient / inadequate work, punctuality, not meeting deadlines.

Subject Referrals will only be passed to Tutors when students have repeatedly failed to fulfil the terms of the Learning Agreement.

Subject Tutors will be able to express concern about attendance at classes via the referral system as outlined below.

In addition to the referral System there is an Alert form which gives subject tutors an opportunity to pass on their concerns to a tutor.

### Reasons for Subject referral

#### Negative

- A student's work is not reaching the expected standard (relative to their MEG) despite support from subject team.
- The student is persistently submitting work late, or not at all despite re-negotiated deadlines / target dates.
- The student demonstrates behaviour which has a negative effect on their own learning and / or the learning of others.
- The student displays patterns of erratic attendance and / or punctuality.

#### Procedures

If a student is causing concern to a subject tutor the subject tutor should take some action. If as a result of this action no improvement is made the student's case should be discussed at a subject meeting or internally referred to the Head of Subject

If it is felt that the student's action warrants referral then a subject referral slip should be completed with the relevant details, signed by the subject tutor and then countersigned by the head of subject ( a quality measure and ensuring a degree of consistency). The referral should be passed to the Personal Tutor. Details of action already taken by the subject to deal with / correct issues needs to be included to assist the Personal Tutor in resolving the issue.

The referral process can have three stages. It is very much hoped that very few students reach the third stage.

### **First Stage**

If a referral is received the tutor will discuss it with the student and together will agree some positive action. e.g. setting targets, re-negotiating deadlines. The subject tutor is informed of the action taken.

### **Second Stage**

If a student is referred subsequently having not achieved the targets set the tutor should contact parent(s) / guardian(s) and discuss the nature of our concerns. Contact may be made by telephone or post and may result in parent(s) / guardian(s) being invited into college.

### **Third Stage**

This stage is reached when a student has not responded to the previous opportunities given. The likely outcome will be a final warning to the student with any further referrals resulting in the student being asked to leave college and with the help of Connexions, being guided to an alternative place of education, training or employment.

Parents will be informed by letter or telephone.

### ***Exceptions***

The exception to the above procedure is for unacceptable behaviour in the classroom where an immediate referral should be made and the student taken to the Director of Student Services or one of the Lead Tutors. If the behaviour is deemed 'misconduct' or 'gross misconduct' the student will be dealt with according to the Code of Conduct guidelines by the Director of Student Services or Assistant Principal (Student Services).

## Appendix 1

# LEARNING AGREEMENT

**As a student of Birkenhead Sixth Form College I agree to:**

- Abide by College rules, Code of Conduct and Behaviour Policy
- Attend timetabled sessions unless genuinely unable to.
- Accept that if I do not attend 90% of my sessions or am late for more than 20% of them I may have to pay for my entries to exams
- Provide a note of explanation if time at College is missed.
- Make routine appointments outside College hours eg doctor's, dental checkups, eye tests
- Arrive at College and all sessions on time.
- Give priority to College work, accepting the need for private study at home and College.
- Complete all assignments including coursework by the College deadline.
- Understand that my entry may be withdrawn if I do not meet subject deadline dates
- Participate fully in the Short Course and Key Skills programmes and General Studies as appropriate.
- Attend regular sessions as required with my Personal Tutor.
- Consult my Personal Tutor or other appropriate staff if any problem develops affecting my work and if a significant change of course is proposed I will seek career advice prior to the change.
- Respect the right of others to work undisturbed.
- Respect the College environment and the neighbourhood and be sensitive to the needs of others.
- Respect others and not make racist, sexist or other offensive remarks.
- Observe the College's non-smoking policy.
- Observe the College's statement on the acceptable use of ICT.

## Appendix 5



# Exclusion Procedures

## **EXCLUSION PROCEDURES**

### **The Purpose of these procedures**

- To ensure the College disciplinary procedures comply with guidance from the Association of Colleges (AOC)
- To provide staff guidance and to explain the circumstances and situations where the Code of Conduct and procedures will be implemented
- To specify the actions and sanctions which may be applied as part of the College's Disciplinary Procedures.

### **Links to Other College Policies**

Other relevant policies and procedures which may be referred to and/or applied in conjunction with the Disciplinary Policy or lead to Disciplinary action are:

- College Charter
- The Student Learning Agreement
- Bullying and Harassment Policy
- Child Protection Policy
- Equality and Diversity Policy and Race Equality Policy
- Acceptable Use of Computers and the Internet Policy
- Health and Safety policy
- Complaints Policy
- Educational Visits and Out of College Activities Policy and Procedures

Exclusion of a student is always a last resort in the disciplinary process, although there will be occasions when it is appropriate to suspend a student as a first step in a disciplinary investigation – for example, in cases of alleged drug abuse or violence. The power to exclude a student may be exercised only by the Principal or a delegated alternative, a Deputy Principal, Assistant Principal Student Services, Director of Student Services or Lead Tutor. Once a decision to exclude has been made, the Principal or delegated alternate must take all reasonable steps to inform the student, and the parent/guardian if the student is under 18, in writing, as soon as possible. A copy of this must be kept on the student's file. No student under 18 should normally be required to leave the premises following a decision to exclude unless the parent/guardian has been informed in advance.

Information provided to students and/or parents/guardians must include the reason for exclusion, the type of exclusion – suspension (fixed term or indefinite) or expulsion, proposed date for re-admission (if appropriate), procedures for appeal and (where appropriate and as soon as possible) arrangements for students to continue their studies and sit examinations.

When a student is suspended for a fixed term period, a definite date for re-admission will be given, which will normally be no longer than 10 working days after the date of suspension. Students will normally be given an agreed level of support during this period in order to enable them to study from home and, if necessary, attend college to sit external examinations.

Cases of Gross Misconduct can lead to immediate suspension of a student, pending an investigation to consider exclusion.

- i) The Principal or delegated alternate will arrange an exclusion interview with the student, and the parent/guardian if the student is under 18, within 10 working days of the suspension. Students will normally be given an agreed level of support during this period in order to enable them to study from home and, if necessary, attend College to sit external exams.
- ii) At an exclusion interview the Principal or delegated alternate will take the student through the allegations which have led to the complaint of misconduct. The student will be given the opportunity to state his or her case (including any mitigating factors) and asked to state whether the alleged facts are disputed and, if so, which facts. If material facts are disputed the student will be asked to identify any source of evidence supporting his or her case.
- iii) If the student does not dispute the material facts relating to any one or more complaints of gross misconduct, the Principal or delegated alternate may bring the interview to a close and make a disciplinary recommendation in relation to those complaints, taking into account any mitigating factors.
- iv) If the student disputes material facts relating to the complaints, the Principal or delegated alternate will adjourn the interview for a future date within the following 14 working days to allow relevant evidence (including from sources identified by the student) to be made available. The Principal or delegated alternate may arrange for witnesses to be available in person for the reconvened interview or (where that is not practicable) for written statements to be taken by another member of staff.

- v) Copies of any documentary evidence, together with copies of any written statements will be provided to the student at least 5 working days before the reconvened interview is due to take place. At the interview, the student will have the right to question any witnesses appearing in person and to question any evidence presented in the form of a written statement, provided that the nature of the questioning is appropriate and the context relevant to the proceedings.
- vi) If a witness is not available to answer questions that will be taken into account by the Principal or delegated alternate when assessing the weight to be given to conflicting evidence. Written statements which do not reveal the name of the witness will not be considered, other than in the most exceptional circumstances.
- vii) Following the interview with the student and consideration of any evidence a decision will be made regarding exclusion. The recommendation may be that the student should be permanently excluded, that a lesser disciplinary sanction should be taken or that no disciplinary action should be taken. If the recommendation is for exclusion the student will be given written notification of the decision within 5 working days of the initial or reconvened interview, whichever is appropriate. Written details of the right of appeal will also be included.

The student will have right of appeal against any recommendation for permanent exclusion.

- i) Notice of appeal must be lodged with the Principal (if the Principal was not party to the exclusion - if the exclusion was made by the Principal then the right of appeal is to the Corporation) within 10 working days of the date of the recommendation for exclusion or suspension and must give grounds and brief particulars of the appeal. The recommendation will not be considered by the College until the expiry of the period for lodging the appeal.
- ii) The Appeals Committee will normally consist of up to 3 members of the Senior Management Team or up to 3 members of the Corporation. The Principal or delegated alternate and the appellant both have the right to be accompanied or represented by a 'friend'. If the appellant is to be legally represented the Appeals Committee must be informed at least 5 working days before the hearing.
- iii) If a notice is lodged within the time allowed, an appeal interview with the Appeals Committee will be arranged to take place within 21 working days of the notice of appeal.

being lodged. The student will be given at least 5 working days notice of the time and place of the appeal interview. Any documents considered at the exclusion stage interview will be available for the purposes of the appeal, together with the notes of the second stage interview.

- iv) At the appeal interview, the student will be invited to explain the grounds of the appeal and to state his or her case.
- v) The Principal or delegated alternate who made the recommendation to exclude will be asked to respond to the appeal and explain the reasons for the recommendation.
- vi) The Appeals Committee may ask questions of the student and the member of staff and will then consider whether to allow or dismiss the appeal. Witnesses will not normally be asked to attend except in relation to any new evidence which has come to light since the second stage interview.
- vii) If the appeal is allowed, the Appeals Committee may decide that disciplinary action lesser than that recommended by the member of staff should be taken. The Appeals Committee may also decide that no further disciplinary action should be taken.
- viii) If the appeal is dismissed, the recommendation of the member of staff will stand.
- ix) Within 5 working days of the appeal interview, the final decision by the Appeals Committee will be confirmed in writing to the student.
- x) Permanent Exclusions will be reported to the Corporation.