Learner Performance Management Policy

Revision number	V5
Effective	August 2024
Owner	Operations Manager: Learner Journey
Review date	July 2025
Reviewed	

University of Derby - Buxton

Student Performance Management Process

1. Purpose

1.1. The purpose of this policy is to encourage and motivate all learners towards positive behaviours, to enable successful achievement and progression towards their future goals. UODB will also expect learners to invest in themselves and take advantage of the learning, opportunities and support that is available. To this end, the policy has been written to reinforce/reference the following:

- UODB sets high standards and has high expectations of our learners' behaviour.
- We expect students to be ambassadors for their programme and the University/College, demonstrating the valuable skills and behaviours that they are learning/have learned.
- Learners are expected to demonstrate a high level of respect for their peers, staff, employers, the public and the wider community.
- Learners should demonstrate appropriate behaviour for the learning and work environments.
- Learners are expected to develop their understanding of their rights and responsibilities as a student, as an employee (where relevant), and as citizens and members of the community.
- UODB sets clear guidance on the consequences of failing to meet those expectations.
- The understanding that disruptive behaviour can be an indication of unmet social/emotional needs. Therefore, the response to concerns regarding a student's behaviour will take into consideration other factors that may be influencing those behaviours. In such cases, early intervention is essential and a referral to the Learner Journey Team/Well-being Services is required.

1.2. The College understands that the first step to modelling good behaviour is to lead by example. This means that all staff, volunteers, visitors in the University/College must act respectfully, responsibly, professionally and with integrity. Through this policy the College is ensuring that behaviour is consistent across the College, sanctions are made clear to all and applied fairly, proportionally and without discrimination, taking into account High Needs learners and any additional challenges that some vulnerable learners might face.

1.3. We endeavour to apply rules fairly, clearly and consistently. In the case of particularly serious incidents or persistent unacceptable behaviour, we will always endeavour to involve parents/carers of students under 18 (over 18 with the student's agreement) in resolving the situation.

1.4. Appropriate behaviour is modelled by the teaching and non-teaching staff at UODB.

We expect that this aim to model appropriate behaviour is supported by the parents/carers & employers at UODB so that students are given clear and consistent guidance.

The policy and procedure have been written to correspond with the UODB INVEST Code of Conduct.

2. Scope:

2.1. This policy will be applied to all learning programmes delivered by UODB within Further Education (FE) and Higher Education (HE), including Apprenticeships and other provision.

2.2. The Learner Performance Management Process will be applied to all learners in college as well as when their study extends to online engagement in learning, work placements, any voluntary work, enrichment activities, trips/visits and whilst students are travelling to and from College/University premises and on any transport arranged by the College/University (e.g. College buses) in accordance with the UODB Behaviour Code for College Transport. It is not possible to define every form of behaviour which may result in disciplinary action, nor has an attempt been made to do so.

2.3. It is the colleges intention for this policy to have similarities to that of an employment disciplinary process to ensure that learners are ready and prepared for the transition to a work-based environment.

3. Principles and Approach:

3.1. UODB will invest in all of its students so that they can strive to be the best that they can be, aim high and have a positive experience.

3.2. At each stage in the procedure the student will be advised of the nature of the complaint against them and will be given the opportunity to state their case before a decision is made.

3.3. The policy covers any potential issues of behaviour, conduct, attendance, academic performance of break of any additional policies as set by the college/university.

3.4. The policy learner performance management procedure may start at any stage in accordance to the learners alleged misconduct. Immediate suspensions may be used when there is suspected gross misconduct or where may be a safety/safeguarding concern. Please note a suspension is not an assumption of guilt.

3.5. The College will also expect learners to invest in themselves and take advantage of the learning, opportunities and support that is available. The College has set clear expectations which is defined in the UODB INVEST code of conduct, which students are expected to adhere to.

4. UODB INVEST- Behaviour for learning:

We aim to:

- Promote the values of the College and the good behaviour of students.
- Establish a positive, friendly ethos based on mutual respect and trust.

- Ensure students, parents/carers, employers, and staff understand and uphold the values and expectations of the College.
- Celebrate success.
- Enable students to realise their full potential in a safe and positive learning environment.
- Ensure systems of recording and reporting support the effective implementation of the procedures for celebration and cautions.

5. Our principles are:

- The behaviour of students reflects the values upheld by the College community.
- The fundamental British Values of democracy, the rule of law, mutual respect and individual liberty of students are demonstrated in their behaviour.
- Students have clear guidance and consistent consequences.
- The partnerships between home, College, employers in the workplace and the student is, essential to promote positive behaviour.
- All students feel and are safe.

6. Celebrating success and achievement:

We aim to celebrate student success and recognise achievement and good behaviour through:

- Causes for Celebration.
- Awards events.
- Certificates - for example, for good attendance.
- Outstanding learner achievement awards.

7. Support:

7.1. The college/university understands that there may be occasions when a learner may have some personal difficulties which can impact on their studies.

7.2. While the college will provide appropriate support, they need to ensure that the learner continues to make progress and achieve on their study programme.

7.3. In this instance, the college may place the learner on a supportive Positive Engagement Plan and set achievable SMART target. The Supportive Engagement Plan may be used to support learners with handing in assignments, improving attendance or personal issues such as physical and mental health.

7.4. The Positive Engagement Plan will be monitored through the Student Mentor/Safeguarding Team and the learners Progress Coach to review agreed support arrangements.

8. Safeguarding:

8.1. Most further and higher education institutions are public authorities and will be subject to the public sector equality duty. This means that they must have 'due regard' to the need to eliminate unlawful discrimination, to advance equality of opportunity and foster good relations between people who have particular protected characteristics and those who do not.

8.2. If a member of staff considers that behaviour(s) constitutes a safeguarding concern, they should take action in accordance with the University's safeguarding policy and procedure - Staff will need to report any such action to the designated safeguarding co-ordinators.

8.3. Reporting Incidences of Bullying and / or Harmful Sexual Behaviours.

8.4. Please refer to the Anti Bullying / Child on Child Abuse policy for guidance on additional reporting requirements specific to these situations.

8.5. UODB reserve the right (as outlined in Section 93 of the Education and Inspections Act 2006) to use reasonable force to prevent learners from hurting themselves or others, from damaging property or causing disorder.

8.6. Any restraint the college undertakes will be proportionate to those risks and be used for no longer than is necessary in line with our ambition to reducing the need for restraint and restrictive Intervention.

8.7. UODB reserve the right to undertake a searching, screening and confiscating on any learner whom we have a strong suspicion of being in possession of illegal substances or an offensive weapon.

9. Probation Contracts:

9.1. In certain cases, it may be necessary for students to be placed on a probation contract at the beginning of their study programme and have a recorded action plan and SMART targets on eTrackr/SMART Assessor.

9.2. Any learners who have been placed on a Probation Contract will have guidance for their probation contract and set clear targets which need to be achieved prior to being removed from their probation contract.

9.3. Where a learner does not achieve their probation targets, the curriculum leader will discuss directly with the senior leadership team and their course could be terminated, and a referral made to the careers team for alternative options. If a learner has reoccurring problems following being removed from their probation contract, they will be progressed through the disciplinary procedure in the usual way.

Performance Management Process

Positive Engagement Plan	A 'Positive Engagement Plan – Behaviour' is designed to address any minor misconduct issues and should be dealt with by the member of staff witnessing them. Learners should be addressed in a calm manner and given the opportunity to discuss ongoing concerns. 'A Positive Engagement Plan – Supportive' is also a recorded intervention to support learners who may be struggling with a personal issue including physical and mental health. **Behaviour:** ➢ Staff member to engage a Positive Engagement Plan through a 1 to 1 informal meeting to discuss any issues and agreed actions. ***A positive engagement plan meeting can be held at a time and location of the staff members discretion with no formal invitation required.*** ➢ Following the informal 1-1 meeting with the student, the ***staff member*** must create an action plan under 'pastoral' on *eTrackr / Smart Assessor.* In the action plan the ***staff member*** must clearly state it is a 'positive engagement' action plan and write in the description the details of the meeting and support being offered. Agreed SMART Targets must be clearly evidence in the Action Plan (Pastoral) on *eTrackr/Smart Assessor.* ➢ The ***staff member*** to monitor student progress against actions set SMART targets and hold a review meeting within an appropriate time scale. If the actions have been met and behaviour has improved following a review meeting, the 'positive engagement plan' must be marked as 'completed' on eTrackr / Smart Assessor. ➢ The ***staff member*** must inform the course leader and Progress Coach either through *eTrackr/Smart Assessor* or email. **Support: <u>(Issued by Student Mentor Team Only)</u>** ➢ In cases where there are genuine vulnerabilities or complex issues that do not warrant disciplinary action, a positive engagement action plan is to be arranged with student and parent/carer (if under 18). ➢ Progress Coach / Tutors / Student Mentors to arrange a Positive Engagement Plan to support students who may be struggling with severe mental or physical health that may be impacting their progress at college. ➢ Following the informal 1-1 meeting with the student, the ***progress coach, tutor or student mentor*** must create an action plan under 'pastoral' on *eTrackr / Smart Assessor.* In the action plan the ***progress coach, tutor or student mentor*** must clearly state it is a 'positive engagement' action plan and write in the description the support being offered. ➢ The progress coach, tutor or student mentor must log any Confidential or sensitive information must only be logged on Myconcern.

Stage 1: **Responsibility:** Course Leaders	A Stage 1 disciplinary will be instigated if either: Actions from the Cause for Concern / Positive Engagement Plan have not been met or the behaviour warrants a Stage 1 disciplinary. ***See Appendix 1 for definition and examples.*** **Note:** *Failure to undertake or record each disciplinary stage in accordance with the student performance management policy will result in Stage 2, 3 and 4 referrals being refused.* **Procedure:** 1. Course tutor / Instructor Mentor (for Apprentices) to organise a Stage 1 disciplinary meeting to discuss any issues and agreed actions. ***A stage 1 meeting can be held at a time and location of the tutor's discretion with no formal invitation required.*** 2. Following the informal 1-1 meeting with the student, the ***course tutor / instructor mentor*** must add a Stage 1 action plan under 'pastoral' on *eTrackr / Smart Assessor.* In the action plan the ***course tutor / instructor mentor*** must clearly state it is a Stage 1 action plan and write in the description the details of the meeting and support being offered. Agreed SMART Targets must be clearly evidence in the Action Plan (Pastoral) on *eTrackr* or Contact Diary *for Smart Assessor.* The disciplinary status must be changed to the appropriate disciplinary level on the student(s) home page. 3. ***Course tutor/Instructor Mentor*** to monitor student progress against actions set SMART targets and hold a review meeting within 2 weeks. If the actions have been met and behaviour has improved following a review meeting, the stage 1 must be marked as 'completed' on eTrackr / Smart Assessor. 4. ***Curriculum Teams and Progress Coaches*** continue to monitor student engagement through "At Risk" and "KIT" meetings and completing 1 to 1 meeting with the student on a monthly basis until there is clear evidence of sustained improved behaviour and / or engagement. 5. Parent/Guardian (under 18) to be informed of the meeting and updated on the SMART actions and sanctions agreed at the meeting and logged on eTrackr/Smart Assessor

	Additional Support Needs: • Any 'CIC' (Child in Care) issues must be raised with the Learner Journey Team - Student Mentors. • Where a student has an EHCP and / or High Needs Support, the ALS (Additional Learning Support) Team must be made aware and invited to any meetings as required. ALS will also need to be updated on any actions in place following the meeting. **Escalation to Stage 2:** • If the concern persists and agreed SMART targets have not been achieved course tutor / instructor mentor must escalating to Stage 2 disciplinary via curriculum leader. • The ***curriculum leader*** will review learners *eTrackr / Smart Assessor* profile to ensure Stage 1 disciplinary has been logged and recorded correctly and SMART targets have been set by the course leader. • Curriculum leader must ensure the stage 1 has been reviewed appropriately and decide whether escalation is appropriate. • Curriculum leader only must complete the stage 2 referral form. • Escalation to stage 2 will only be accepted if the stage 1 process has been followed appropriately or the behaviour warrants a Stage 2.

Stage 2: **Responsibility:** Student Experience Manager / Curriculum Leader	A Stage 2 disciplinary will be instigated if either: Actions from Stage 2 disciplinary have not been met or a learners behaviour warrants a Stage 2 disciplinary. ***See Appendix 1 for definition and examples.*** **Note:** *Failure to undertake or record each disciplinary stage in accordance with the student performance management policy will result in Stage 2, and 3 referrals being refused.* **Procedure:** 1. A formal meeting will be held within seven days of notification of the stage 2 disciplinary. ***FE Curriculum Support*** to arrange invitation letter(s) to be sent to the student, with a copy to the parent/carers (if under 18/SEN/LAC) to inform them when the initial and review meeting is taking place. 2. All relevant individuals will be invited to the meeting, including Course Tutor, Progress Coach, Student Mentors, the student, the student's parent(s)/carer(s) and/or other. 3. The ***Learner Journey Team*** and ***Security*** (if applicable) to gather relevant incident reports or witness statements. Information will be kept centrally on the Cause for Concerns Folder. If possible, course tutor/curriculum leader will be expected to attend to present the case. 4. Following the formal meeting with the student, the ***Student Experience Manager*** **and or** ***Curriculum Leader*** must add a Stage 2 action plan under 'pastoral' on *eTrackr* or Contact Diary on *Smart Assessor.* In the action plan the ***Student Experience Manager and*** **or** ***Curriculum Leader*** must clearly state it is a Stage 2 action plan and write in the description the details of the meeting and support being offered. Agreed SMART Targets must be clearly evidence in the Action Plan (Pastoral) on *eTrackr/Smart Assessor.* The disciplinary status must be changed to the appropriate disciplinary level on the student(s) home page. 5. ***Curriculum Team and Progress Coach*** to monitor student progress against actions set SMART targets and feedback to the Behaviour Manager on the students' progress prior to a formal Stage 3 review meeting. If the actions have been met and behaviour has improved following a review meeting, the Stage 2 must be marked as 'completed' on eTrackr / Smart Assessor. 6. ***Curriculum Teams and Progress Coaches*** continue to monitor student engagement through "At Risk" and "KIT" meetings and completing 1 to 1 meeting with the student on a monthly basis until there is clear evidence of sustained improved behaviour and / or engagement. 7. In the event of learners not attending a formal Stage 3 meeting, the Behaviour Manager/Curriculum Leader may conduct the Stage 3 meeting via the telephone.

8. In the event a learner does not attend a Stage 2 meeting or answer their phone, the Behaviour Manager/Curriculum Leader has the right to conduct the meeting in the learner's absence and inform the learner via voicemail, email, or Teams message.

9. If a learner does not attend the review meeting without good cause, the meeting chair has the right to escalate the learner directly to a Stage 3 disciplinary.

Additional Support Needs:

10. Any 'CIC' (Child in Care) issues must be raised with the Learner Journey Team - Student Mentors
11. Where a student has an EHCP and / or High Needs Support, the ALS (Additional Learning Support) Team must be made aware and invited to any meetings as required. ALS will also need to be updated on any actions in place following the meeting.

Escalation to Stage 3:

12. If the concern persists and agreed SMART targets have not been achieved Curriculum Leader / Progress Coach must escalating to Stage 3 disciplinary.
13. The Behaviour Manager will review learners *eTrackr / Smart Assessor* profile to ensure Stage 1 and 2 disciplinary has been logged and recorded correctly and SMART targets have been set and reviewed appropriately and whether escalation is appropriate.
14. Escalation to stage 3 will only be accepted if the stage 1 and 2 process has been followed appropriately or the behaviour warrants a Stage 3.

Stage 3: **Responsibility:** Senior Leadership Team	A Stage 3 disciplinary will be instigated if either: Actions from Stage 2 disciplinary have not been met or the behaviour warrants a Stage 3 disciplinary. ***See Appendix 1 for definition and examples***. **Note:** *Failure to undertake or record each disciplinary stage in accordance with the student performance management policy will result in Stage 2 and 3 referrals being refused.* **<u>LOCAL LEVEL</u> Procedure:** 1. A formal meeting will be held within seven days of notification of the stage 3 disciplinary. ***FE Curriculum Support*** to arrange invitation letter(s) to be sent to the student, with a copy to the parent/carers (if under 18/SEN/LAC) to inform them when the meeting is taking place. 2. All relevant individuals will be invited to the meeting, including Course Tutor, Progress Coach, Student Mentors, the student, the student's parent(s)/carer(s) and/or other. 3. ***Student Experience Manager*** to gather relevant incident reports, witness statements or other evidence and meet with the meeting chair and all other relevant staff prior to the disciplinary meeting. Information will be kept centrally on the One Drive. If possible, course tutor/curriculum leader will be expected to attend to present the case. 4. Disciplinary meetings will be held to consider evidence, including witnesses' statements and decide whether the alleged behaviour is unacceptable and if so, to determine the appropriate course of action. 5. A member of ***Senior Leadership Team*** and the ***Student Experience Manager*** to review the evidence – a decision is made regarding dealing with the case at local level or whether to refer it directly to university level. 6. Prior to the meeting, the student is provided with reasons for the Stage 3 disciplinary via written communication (evidence to be discussed at the meeting). 7. Following a formal **(LOCAL)** meeting with the student, the ***Student Experience Manager/Senior Leader*** must add a Stage 3 action plan under 'pastoral' on eTrackr / Smart Assessor. In the action plan the ***Student Experience Manager/Senior Leader*** must clearly state it is a Stage 3 action plan and write in the description the details of the meeting and support being offered. Agreed SMART Targets must be clearly evidence in the Action Plan (Pastoral) on eTrackr/Smart Assessor. The disciplinary status must be changed to the appropriate disciplinary level on the student(s) home page.

8. ***Curriculum Team and Progress Coach*** to monitor student progress against actions set SMART targets and feedback to the Senior Leader/Behaviour Manager on the students' progress prior to a formal Stage 3 review meeting. If the actions have been met and behaviour has improved following a review meeting, the Stage 4 must be marked as 'completed' on eTrackr / Smart Assessor.

9. ***Curriculum Teams and Progress Coaches*** continue to monitor student engagement through "At Risk" and "KIT" meetings and completing 1 to 1 meeting with the student on a monthly basis until there is clear evidence of sustained improved behaviour and / or engagement.

10. In the event of learners not attending a formal Stage 3 meeting, the ***Senior Leader*** may conduct the Stage 3 meeting via the telephone. In the event a learner does not answer their phone, the ***Senior Leader*** has the right to conduct the meeting in the learner's absence.

11. A letter confirming the decision will be written and sent by ***FE Curriculum Support*** to the student. If the student is under 18, a copy will be sent to the parent(s)/carer(s) Date for review meeting to be set & all parties informed.

12. If the concern persists, the ***Senior Leader/Student Experience Manager*** to agree actions which may include escalating to university level. Escalation at Stage 3 could impact upon placements and continuation on the course. A referral might be made to 'Fitness to participate in University life'.

13. In most serious cases, the ***Senior Leader/Student Experience Manager*** will refer the case through to principalship who will refer to University level. Escalation to the Vice Principal could impact upon placements and continuation on the course. A referral might be made to 'Fitness to participate in University life'.

Recommendation for Withdrawal:

- Following a Stage 3 disciplinary, if concerns persist and there are grounds to withdraw a learner from their study programme, the ***Senior Leader/Student Experience Manager*** must present full disciplinary documentation to the college principalship to seek a recommendation for withdrawal.
- The ***Principalship*** with review evidence provided and evidence logged on eTrackr and either agree or refuse a withdrawal within 7 working days. Following the Principalship decision the ***Senior Leader/Student Experience Manager*** will inform learner and or parents/carers (if under 18) of the principalship outcome decision.

	Additional Support Needs: ➢ Any 'CIC' (Child in Care) issues must be raised with the Learner Journey Team - Student Mentors ➢ Where a student has an EHCP and / or High Needs Support, the ALS (Additional Learning Support) Team must be made aware and invited to any meetings as required. ALS will also need to be updated on any actions in place following the meeting. **Potential Sanctions:** If the allegations are found to be true, there a range of consequences detailed in the regulations: • Receive an oral or written warning. • Requirement to pay compensation for damage and/or cost. • Exclusion from any of the College/University's premises or facilities for a defined period. • And, in the case of College/University facilities, incurrence of a penalty determined by procedures or agreements relating to the use of those facilities. • Permanent Exclusion.

Appeals Process	Any learner who wish to appeal the outcome of the decision, this needs to be put in writing to the Head of The Institute of Education s.charles@derby.ac.uk within 14 days of receiving your outcome letter.

Union of Students	• Learners who are subject to these procedures are encouraged to take advantage of the advice and support available to them from the Union of students. At all points of the procedures a learner has the right to be accompanied by a member of the Union of Students and in addition, if the student is under 18 years of age/SEN/CIC, by a parent/guardian. • Students can access support from the Union of Students or other representative throughout the appeals process. Further Information can be found on the following website: https://www.derbyunion.co.uk/

42-Day Probation Period

42-Day Probation Contract	A 42-day probation periods form part of the college's ambition to support learners to become 'work ready' and is embedded in the Learner Performance Management policy. There are occasions when prospective or progressing learners who apply to enrol to a study programme at UODB may have to be placed on a 42-Day Probation Contract. These circumstances may include amongst other things: **New Learners:** • Previous exclusion from school. • Poor school / education history, including serious disruptive behaviour. • Unsuccessful taster / induction or extensive concerns about suitability arising from curriculum interviews. • Any learner who has an unsatisfactory reference. • Any learner (except apprentices) applying for a course after 1st August due to being a late applicant. • High risk learners who are vulnerable

Progressing Learners:

- Consistent poor attendance or behaviour concerns.
- Any learner who is currently on a disciplinary Stage 2, 3 or 4 at point of Progression.
- Repeated lack of assignment submission or academic misconduct.
- Any learner who has an unsatisfactory reference.
- Any learner who has transferred courses and are continuing at the same level.
- High risk learners who are vulnerable.

Procedure:

1) Learners who are placed on a 42-Day period contract will have a meeting with either; Senior Curriculum Leaders/Curriculum Leader/Tutors/Progress Coach to set out a clear action plan and SMART Targets that learners will need to be working towards within their first or second college week.
2) Parents/carers will be informed via meeting, telephone, letter, or email notification of the 42-Day Probation Contract to clarify the learners' responsibilities of a probation period.
3) All learners placed on a 42-Day Probation Period, will need to achieve their targets to secure a permanent place on a study programme.
4) It may be necessary on occasions to extend a learner's probation period, in these instances, it would be agreed by the curriculum leader and information shared with both the learner and their parents/carer.
5) Learners on a 42-Day Probation Period will be supported with monthly monitoring meetings with either the Curriculum Leader, Tutors, Progress Coach or Student Mentors.
6) For any learner who has failed to achieve their probation targets the curriculum leader will discuss the issue with a member of the college senior leadership team, which may result in learners being withdrawn from college for the remainder of the academic year. Any learner who is withdrawn from a study programme will have an opportunity to have a careers meeting to discuss next steps.

Critical/Serious Incidents:

If a student involved in a critical / serious incident is deemed to present a safeguarding risk if they remain on campus, they will be given a temporary suspension following the guidance below.

Procedures for Temporary Suspensions **(Serious / Critical Incidents)**	• A student can only be suspended by a member of the ***Senior Leadership Team/Student Experience Manager*** (if SLT are not available) following the procedures set out in the Student Performance Management Policy. • Following a suspension, the ***Senior Leadership Team/Student Experience Manager*** involved will: ➢ Email the relevant Curriculum Leader, Progress Coach to inform them of the situation. ➢ Report a Concern on My Concern logging the student's suspension. ➢ Log the suspension also on eTrackr/Smart Assessor as a CFC. ➢ Contact parents/carers (where applicable) to inform of suspension and that the student must not come on site. ➢ Parents/carers will be asked to arrange for someone to come and college their child or advise that their son/daughter will be leaving the college and making their own way home. ➢ Arrange for the relevant notification letter to go out to the student and parent /carer (where applicable). ➢ Proceed with preliminary investigation and arrange a Stage 3 disciplinary meeting as required. • A student who is on suspension must not attend any college premises for the duration of the suspension. A suspension is put in place for Safeguarding and Safety reasons and do not influence the outcome of the disciplinary hearing. • The length of suspension will depend on the nature of the incident and what safeguarding arrangements need to be made. However, on most occasions students will be advised not to come back until the disciplinary hearing. • ***Curriculum Leader*** to direct tutors to ensure that work is set so that students can continue their studies independently away from college, until the disciplinary hearing. • If a member of staff has any safeguarding concerns in relation to a student on suspension, they must contact a member of the Safeguarding Team. • In most serious cases the college holds the right to contact the Police to report the incident.

	Reasons for Temporary Suspension: ➢ Use of illegal substances, possession and or providing them to others. ➢ Possession of an offensive weapon. ➢ Use or threatened use of an offensive weapon. ➢ Racial abuse or motivated behaviour. ➢ Theft from individuals or the University. ➢ Threatening or actual violent behaviour. ➢ The student's presence on Campus presents a Safeguarding risk to themselves or others.

Appendix 1

Examples and classification of levels of misbehaviour and persistent lack of engagement. These are indicative only and not exhaustive and apply not only when on campus, but during remote delivery, trips and visits and on college transport.

Positive Engagement Plan
Behaviour: • Low level activities likely to disrupt teaching, learning for other students, study or research or any other activity of the College/University or obstructing any member of staff or visitor to the University in the performance of her/his duties. • Declining attendance and punctuality in any aspect of a student's study programme, apprenticeship or college placement. • Non submission of study programme assignments / course work. • Refusal to follow health & safety measures required by latest government /university guidelines if required to protect the health and safety of others. **Support:** • Students who may be struggling with their college life due to mental health related issues. • Students who may be struggling with their college life due to physical health related issues. • Students who may be struggling with their college life due to their current home life / personal situation. **These are indicative only and not exhaustive and apply not only when on campus, but during remote delivery, trips and visits and on college transport.**

Stage 1 Disciplinary
These examples are indicative only and are not exhaustive. Offences that can be dealt with under local procedures can include: 1. Persistent Low disruptive behaviour. 2. Persistent unexplained absences or lateness. 3. Persistent talking in class / during online delivery or persistent low level disruptive behaviour that doesn't stop when asked. 4. Persistent late or non-submission of course work. 5. Not taking due care of equipment or facilities. 6. Being inappropriately noisy or inconsiderate.

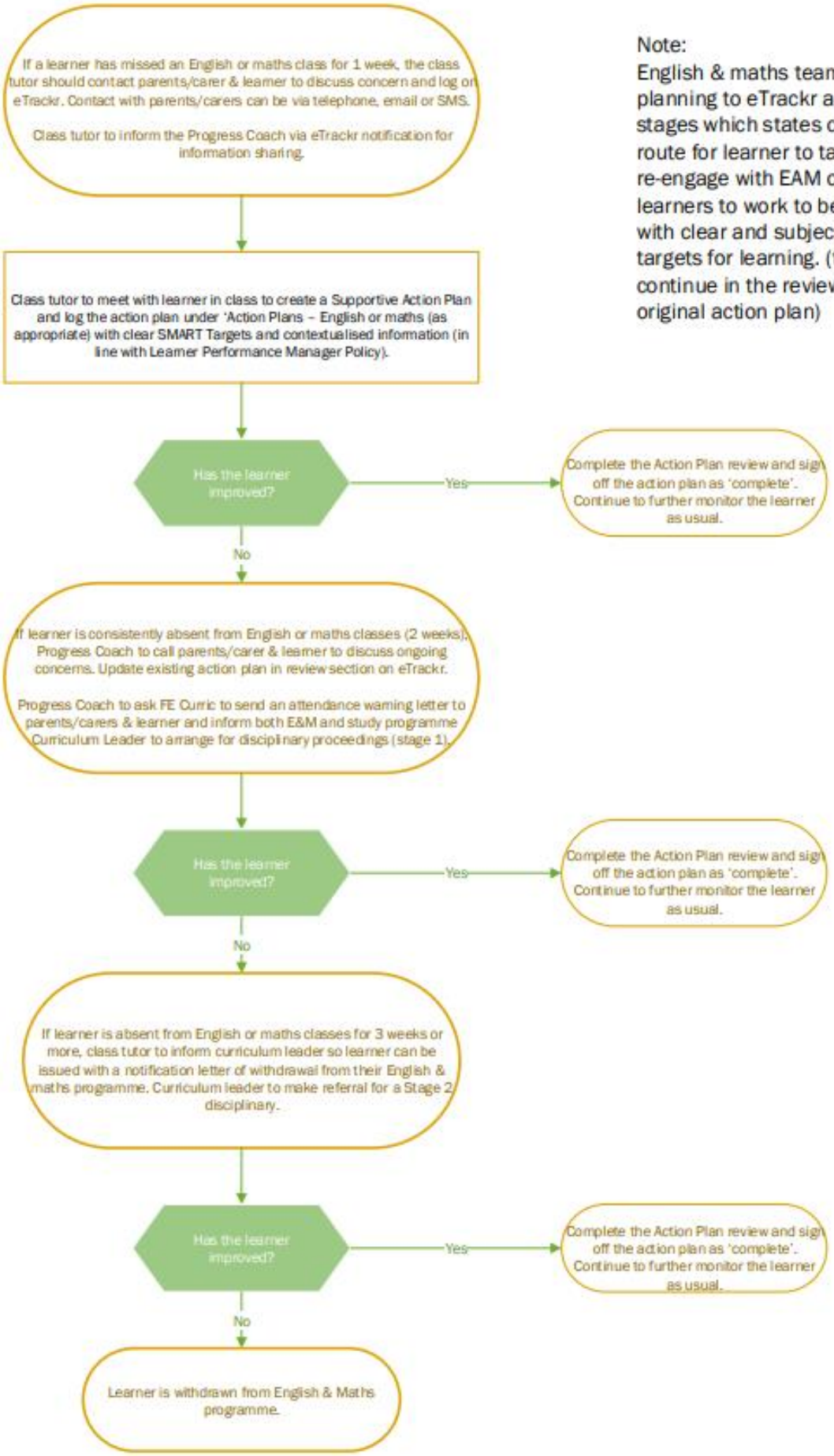
7. Contravening parking regulations.
8. Failure to observe instructions from staff in relation to safety or the use of facilities or resources.
9. Smoking in a non-smoking area.
10. Activities likely to disrupt teaching, learning for other students, study or research or any other activity of the College/University or obstructing any member of staff or visitor to the College/University in the performance of her/his duties.
11. Not adhering to rules and regulations at work.
12. Verbally abusive behaviour and/or inappropriate language (first incident).
13. Refusing to give their name, address, or course, or giving false information to a member of the University staff (first incident).

These are indicative only and not exhaustive and apply not only when on campus, but during remote delivery, trips and visits and on college transport.

Stage 2 Disciplinary
Continuation of offences in Stage 1 and/or straight to Stage 2 if: • Persistent activities likely to disrupt teaching, learning for other students, study or research or any other activity of the College/University or obstructing any member of staff or visitor to the University in the performance of her/his duties. • Wilful disregard of Health and Safety Regulations in the workshop areas, workplace, tampering with fire extinguishers, fire alarms or electronic equipment, misuse of or altering electrical fittings or unauthorised use of electrical appliances, including driving too fast on campus. • Attendance and punctuality have not improved in College/Placement or Apprenticeship following a Stage 1 disciplinary. • Non submission of essential course work following a Stage 1 disciplinary. • Refusal to follow health & safety measures required by latest government /university guidelines if required to protect the health and safety of others. • Bullying and harassment whether verbal, physical or via social media channels (repeated incidences) following a Stage 1 disciplinary. • Verbally abusive behaviour and/or inappropriate language (Second Incident). • Refusing to give their name, address, or course, or giving false information to a member of the University staff (second incident) • Failure to achieve Stage 1 disciplinary SMART targets. • Damage or defacement of equipment, facility or property belonging to an individual or the College/University **These are indicative only and not exhaustive and apply not only when on campus, but during remote delivery, trips and visits and on college transport.**

Stage 3 Disciplinary
Continuation of offences in Stage 2 Disciplinary: • Wilful contravention of the University's Equal Opportunities Policies, Codes of Conduct, or other Regulations • Behaviour which has a direct and damaging effect on the health and safety of others • Advice of a criminal offence post-enrolment, which requires consideration of the potential impact on the University community. • Use of illegal substances, possession and or providing them to others. • Under the influence or in possession of alcohol on college premises. • Racial abuse or motivated behaviour. • Possession of an offensive weapon. • Use or threatened use of an offensive weapon. • Theft from individuals or the University. • Threatening or actual violent behaviour. • Sexual abuse, harmful sexual behaviours, or assault. • Failure to disclose a criminal conviction obtained after registration with the University. • Referrals from the University Academic Offence procedures and the DSRL disciplinary process. • Any further or repeat incident as exemplified in the previous section. **These are indicative only and not exhaustive and apply not only when on campus, but during remote delivery, trips and visits and on college transport.**

English & Maths Attendance Process.



Note:
English & maths team to add action planning to eTrackr across all stages which states clearly, the route for learner to take in order to re-engage with EAM course. Link learners to work to be completed with clear and subject specific targets for learning. (this will continue in the review section of the original action plan)

Searching, Screening and Confiscation

Searching, Screening and Confiscation: Advice for Schools (2022)

Police advice states under the Education and Inspections Act (2006 section 93) and the Education Act (1996) colleges have powers on the below:

- A student may be searched if there are reasonable grounds for suspecting that they are in possession of a prohibited item. Searches can be conducted without consent if necessary.
- Consenting Search – if a student agrees to search then you can search the student for anything
- Non-Consenting Search – if a student does not consent to a search, then you must have 'reasonable grounds' for suspecting a student is in possession of a prohibited item.

Below is also a matrix devised by the police that shows when they are involved.

- Green are the actions to be taken by college including when you would involve the police.
- Red determines where you would not take the action.

	Retain	Dispose	Return	Police
Alcohol			**Do not return to student**	**No need to involve the police**
Controlled Drugs			**Do not return to the student**	**Call the police to deal with the situation**
Other Substances			**Do not return to student**	**Inform the police**
Stolen Items			**Return to the owner**	
Tobacco and cigarette papers			**Do not return to student**	**No need to involve the police**
Fireworks			**Do not return to the student**	**Discretionary**
Pornography			**Do not return to the student**	**Involve the police if extreme or child**
Articles to commit offences	**Discretionary**	**Discretionary**		
Items banned under school rules				**No need to inform the police unless a crime is committed or is an illegal**
Weapons	**Needs to be passed to the police**	**Needs to be passed to the police**	**Do not return to the student**	**Inform the police and pass the item to them**

Policies and procedures to be read alongside this policy:

- Fitness to participate in university life.
- Post-16 Young People in Care and Care Leavers agreement
- Safeguarding Policy
- Absence and Attendance
- Social Media Policy
- Anti-Bullying / Child on Child Abuse Policy
- Sexual Misconduct Policy

Policies and Procedures can be found at: https://buxton.derby.ac.uk/

External guidance consulted alongside this policy:

Reducing the Need for Restraint and Restrictive Intervention

https://assets.publishing.service.gov.uk/media/5d1387e240f0b6350e1ab567/reducing-the-need-for-restraint-and-restrictive-intervention.pdf

Government Guidance of Use of Reasonable Force
https://assets.publishing.service.gov.uk/media/5a819959ed915d74e6233224/Use_of_reasonable_force_advice_Reviewed_July_2015.pdf

What Equality Law Means for You as an Education Provider – Further and Higher Education

What equality law means for you as an education provider – further and higher education (equalityhumanrights.com)

When to Call the Police Guidance for Schools and Colleges

https://www.npcc.police.uk/SysSiteAssets/media/downloads/publications/publications-log/2020/when-to-call-the-police--guidance-for-schools-and-colleges.pdf