

# STUDENT BEHAVIOUR POLICY



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## Vision

Loreto College is centred in God, rooted in Christ and animated by the spirit of Mary Ward, the founder of the Institute of the Blessed Virgin Mary. Our vision is that it will be an educational community where each person has the experience of being loved and valued as a sacred individual created by a loving God; a community where students enjoy an enriching and liberating education that helps them grow into the fullness of life and empowers them to be men and women of courage who are alive to the needs of humanity and committed to making a better world.

## Introduction

The College aims to be an educational community which gives expression to the core values of Mary Ward - freedom, justice, sincerity, truth, joy, excellence and internationality.

Loreto College has the highest expectations of personal, academic and professional excellence. This document sets out the College's policy and guidance on the procedures it will follow in relation to the behaviour of its students. Whilst being mindful of its legal responsibilities and its duty of care to all students and staff, the college will endeavour to act at all times in keeping with its core values showing justice, compassion and respect for the dignity and worth of all.

## Preamble

For the college to be successful, it is essential that the educational process takes place in a civilised, pleasant environment.

As pupils at their high schools, students will have been conditioned to behave in a manner which reflects the civilised values that parents and teachers wish them to develop. An understanding of these values is essential and teachers should therefore explain their importance at every appropriate opportunity. We as teachers should lead by example; demonstrating our own adherence to the underlying values of Loreto College by the way in which we address students. We should be courteous and respectful at all times.

In exercising our authority, we should be honest, fair and just. In setting this example, staff will create a fair, civilised and pleasant atmosphere in which students will be happy and secure while feeling wanted, valued and respected.

By practising what we preach, staff will then be fully entitled to expect nothing less in return.

## **1. THE PURPOSE OF THESE GUIDELINES**

- 1.1 The primary function of these guidelines is to maintain a good standard of behaviour amongst the student body.
- 1.2 This document sets out the standards of conduct to which students are expected to adhere in return for being admitted to the college and being provided with educational and other services and facilities. It also sets out the procedure which should be followed where the standards of conduct are breached.
- 1.3 A breach of the standards of conduct may lead to disciplinary action being taken against a student. Repeated breaches, or a single very serious breach, may result in a student being suspended or permanently excluded from the college.

## **2. STANDARDS OF CONDUCT**

### 2.1 Students are obliged to:-

- a) use college facilities and behave generally in a way which respects the needs and aspirations of others to learn, teach and live within the college community;
- b) respect the values, beliefs and opinions of others within the college community; derived from the above are the following requirements of students to:
  - act at all times with due regard for their own safety and that of others
  - comply with the college's Health and Safety and other regulations
  - respect the property of the college, and of its staff, other students and visitors
  - support staff and other students in the maintenance of a clean and tidy environment throughout the college
  - act responsibly while travelling to and from college
  - take responsibility for their own learning and attend regularly and punctually
  - arrive for lessons or other scheduled events suitably equipped and prepared to study/ work
  - complete all course work to the best of their ability and complete all set work by the required time. In short, honour their Learner Agreement
  - inform the appropriate member of staff as soon as practicable if for any reason they are unable to attend a lesson or other scheduled event
  - inform and seek advice from tutors on issues relating to changing a course of study
  - consider avoiding forms of misconduct as listed in the Appendices
  - accept the rights of the college to take responsible action if these standards are not fulfilled
  - Behave off-site, and out of college hours, in a manner consistent with these guidelines

2.2 It is the responsibility of all staff to give general guidance to students on standards of conduct, which, as the Code of Respect, are presented in the Student Handbook.

2.3 It is every personal tutor's/teacher's responsibility to help the student meet the required standards of conduct during guidance and review sessions. Personal tutors/teachers will clarify

the standards of conduct to be met, and explain what is required of the student.

2.4 Standards of conduct will be applied uniformly throughout the college.

### **3. FORMAL DISCIPLINARY PROCEDURE**

3.1 Oral warnings can be given by Teachers, Tutors, Subject Leaders or Head of Halls.

3.2 Written warnings are letters home which tend to be informative and exhort improvement. These are usually written by a student's Head of Hall. A written warning may be the result of a Mini-Disciplinary Meeting chaired by the Head of Hall with a student's teachers. This written warning will refer to the possibility of a Full Disciplinary Meeting with the Head of Student Services, if the student does not act on the advice given.

3.3 Final written warnings are issued by the Head of Student Services, following a Full Disciplinary Meeting.

3.5 Recommendations to permanently exclude can be made by the Head of Student Services following a Full Disciplinary Meeting.

### **4. ESTABLISHING THE FACTS**

4.1 No formal disciplinary action will be taken against a student until the college has fully investigated the circumstances of the alleged misconduct. (subject to 4.3)

4.2 Staff witnessing, or having reported to them, misconduct, should report the facts to the Head of Hall.

4.3 When an incident concerning a student's misconduct is brought to the attention of the student's Head of Hall, he/she will normally be the person who considers all of the facts involved in the allegations. This may involve holding preliminary meetings to discuss the incident report. Based on the information obtained, the Head of Hall may then consider it necessary to refer the matter to the Head of Student Services who will conduct the investigation.

The decision may also be made to suspend a student prior to the full investigation taking place. If suspension is considered necessary, the procedure in section 5 should be followed.

4.4 The student against whom the allegation is being made should be informed of the fact that an investigation is under way.

4.5 The investigating member of staff should (promptly before recollections fade) carry out a full and thorough investigation of the alleged incident.

4.6 The investigating members of staff will meet with those who can provide information about the allegations, and ask them if they wish to make a statement. Witness statements should be taken without undue duress.

4.7 The investigating member of staff should then meet the student against whom the allegation has been made and take a detailed written statement from him/her, having previously informed him/her of the nature of the allegation.

4.8 The investigating member of staff, following the initial investigation, may wish to meet again with any of those people involved in the alleged incident to seek further clarification.

4.9 The purpose of any investigatory meeting is to establish the facts of the case of one person's word against another. In such circumstances, the investigating member of staff will consider

whether or not, on the balance of probability, the incident occurred.

4.10 The Head of Student Services may consider referring the act of a student to the Police. The Head of Student Services will consider a number of issues in deciding whether to make a referral, for example, the degree of violence used, the value of a stolen good, the degree of threat to the safety of other students and staff or to the college property. This is not an exhaustive list of criteria.

4.11 Having completed the investigation and collected all of the relevant facts the investigating member of staff will decide on the appropriate course of action in consultation with the Head of Student Services.

4.12 Students can be disciplined for their actions which take place off-site and outside of college hours, for example, violence to a fellow student, bringing the college into disrepute, bullying or cyber-bullying and examples of bad behaviour covered in this policy.

The course of action may include a combination of the following:-

- No disciplinary action taken;
- The convening of a disciplinary committee meeting.
- Initiatives other than disciplinary action, such as a supportive parental interview, referral to counselling etc.

## **5. SUSPENSION PENDING INTERVIEW**

5.1 A student may be suspended from the college immediately by the Head of Student Services or the Principal or the most senior manager available, pending a disciplinary committee meeting where he/she has reason to believe that the student has committed an act of serious misconduct, OR that it is otherwise vital to remove the student, temporarily, from the college environment.

5.2 The suspension must be confirmed in writing to the student and their parent/s within two days of its occurrence. The reason for the suspension must be stated and the student and their parent/s will be invited to a formal disciplinary meeting with the Head of Student Services. Such interview to take place within 10 working days of the suspension.

5.3 Where a formal disciplinary interview is adjourned pending further investigation, any student who has been suspended under this provision will remain on suspension until the interview is reconvened.

5.4 This will be confirmed to the student and parents in writing, along with an estimate of the length of time the suspension is likely to continue.

5.5 If at any time, a student is suspended until he/she complies with a reasonable request from the college, for example to pay for damage to college buildings or equipment, to offer restitution to another student for theft or damage to their property, to offer an apology to a member of staff etc., then that student's suspension can be extended until the student complies. In this case, the student's parent/s will be informed of the Complaints Procedure within one working week of the first letter extending the original suspension.

## **6. FORMAL INTERVIEWS**

6.1 No formal disciplinary action will be imposed without the student being given an opportunity for a meeting with a Head of Hall or the Head of Student Services. All disciplinary interviews and meetings will be conducted fairly and consistently by a student's Head of Hall or Head of Student Services. They may invite a student's teachers, tutor and/or another Head of Hall to be present.

- 6.2 The Disciplinary Meeting at Final Written Warning stage of the procedure will normally be conducted by the Head of Student Services. The college reserves the right to determine who is appropriate to chair the meeting in all cases.
- 6.3 The Full Disciplinary Committee will comprise of the Head of Student Services or the appointee of the Principal, the student's Head of Hall. The Head of Student Services may invite other teachers and the students tutor.
- 6.4 Prior to the commencement of any Full Disciplinary Meeting where the likely outcome is permanent exclusion, students will be informed that they can be accompanied by a parent/guardian or friend, but not by a legal or other professional adviser, unless the college agrees otherwise.
- 6.5 The member of staff chairing the Full Disciplinary Committee Meeting, potentially the Final Written Warning stage, will not be the student's own Head of Hall.
- 6.6 The member of staff chairing the Full Disciplinary Committee may give instructions in relation to the conduct of the interview, including the length of time which any part of the meeting should take.
- 6.7 The student will be given an opportunity to state his or her case, before any decision is taken.
- 6.8 The member of staff chairing the Full Disciplinary Committee may exclude from the proceedings any person (including the student, their parent/guardian or their friend) who behaves unreasonably or who disregards the instructions of the chair person of the Committee.
- 6.9 If the student fails to attend a Full Disciplinary Meeting without good reason, then the Meeting may take place, and a decision can be made in his/her absence, and disciplinary action may follow.
- 6.10 At the end of any Full Disciplinary Meeting, the chairperson may decide to issue a 'Final Written Warning', or may decide that no disciplinary action is appropriate. Practical measures to avoid recurrence, for example weekly report, study skills department support, referral to the college counsellor etc., may also be implemented.
- 6.11 The student will be informed by the member of staff conducting the interview or chairing the meeting that the warning is recorded and retained on the student's file.

## **7. FINAL WRITTEN WARNING**

7.1 A Final Written Warning will normally be given to the student if:

- a) the student fails to comply with a formal written warning
- b) despite a formal written warning, the student commits repeated similar misconduct;  
or
- c) the student's misconduct, although not considered to be serious enough to justify permanent exclusion, is sufficiently serious to warrant only one written warning (in effect both the first and a final written warning).

7.2 The necessary elements of a Final Written Warning are that the student will be informed that the consequence of any further misconduct may well be permanent exclusion (expulsion).

## **8. RECOMMENDATION TO PERMANENTLY EXCLUDE**

8.1 In cases where it is alleged that serious misconduct has occurred or where further misconduct is complained of after a Final Written Warning has been given to a student, he/she will be required to attend a Full Disciplinary Committee Meeting.

- 8.2 The student may be advised in the meeting that the outcome of this meeting will be to recommend permanent exclusion. The college may however want to give further consideration to the student's case.
- 8.3 The student is entitled to be accompanied by a parent/guardian or a friend, but not by a legal or other professional advisor, unless the college agrees. The student should be given at least five working days notice of this meeting and be suspended from college. The student and parent/s may well be happy to come in inside this five working day notice.
- 8.4 The student or parent/s will be told the date, time and location of the meeting and the college personnel present.

## **9. NOTIFICATION OF RECOMMENDATION TO PERMANENTLY EXCLUDE**

- 9.1 The student will be given written notification within five working days of a Disciplinary Committee Meeting which has recommended to the Principal that a student be permanently excluded, stating the main fact on which the recommendation is made.
- 9.2 The student will be suspended pending consideration of the recommendation by the Principal. The student and their parents/guardian or a friend, but not a legal or other professional advisor, unless the college agrees, will be invited to a meeting with the principal.
- 9.3 If the student or parents/guardian offer further evidence which they wish to be considered, then the Head of Student Services may pause the procedures so that this can be considered.
- 9.4 If the student fails to turn up for this meeting, then the Principal may conclude that the student has withdrawn from college. If the student, or their parents/guardian subsequently request another meeting, the Principal may grant that wish after considering the reason for their absence. If the Principal grants a second meeting, it should take place within fifteen working days of that request for a second meeting.
- 9.5 Within five working days of that meeting, or of the expiry of that period, the Principal will write to the student and parents to inform them of his/her decision on whether to permanently exclude.
- 9.6 In this letter the student and parent/s will be informed that they can appeal to the Governors' Disciplinary Committee which must meet within fifteen working days of receiving the student's or their parents' appeal, which in turn should be lodged with the Clerk of Governors, at the College address within 7 working days of the date of the Principals letter informing the parents and student of her decision to permanently exclude.
- 9.7 The student and parent/s will be informed that they can make representation at this meeting and be accompanied by a parent/guardian. If you have none, then you can be accompanied by a friend, but not a legal or other professional advisor, unless the college agrees. Whether they choose to make representation or not, the student and parent/s will be notified by the Clerk to the Committee of Governors of the time, date and location of the meeting.
- 9.8 The student will be set work at home which will be marked while these proceedings take their course.
- 9.9 The Governors' Appeals Committee will comprise of two members of the Governing Body.

The College Representative will explain the Principal's decision to permanently exclude.

- Parent/Student/Friend may ask questions. Governors may ask questions.

- Parent/Student present their position.
- College Representative may ask questions. Governors may ask questions.
- College Representative sums up. Parents/Students sum up.

Governors deliberate and convey their decision in writing to all parties.

9.10 The decision of the Governors' Disciplinary Committee is final.

9.11 If the student or parent/guardian does not attend this meeting, then no other meeting will be arranged, unless notification of their inability to attend the meeting was given to the college five working days before the scheduled meeting time.

9.12 If at any stage, a student's appeal is allowed, the Principal may decide that disciplinary action lesser than recommended should be taken. It may also be decided that no further disciplinary action should be taken.

## APPENDIX A- EXAMPLES OF MISCONDUCT

- A.1 Any breach of any of the student's obligations set out in the College's Policies and Learner Agreements.
- A.2 Any failure to follow the reasonable instructions of a member of staff.
- A.3 Smoking anywhere other than the area defined as the smoking area.
- A.4 Any non-attendance for any examination or similar college activity.
- A.5 Any cheating, plagiarism, copying of the work of other students or infringement of examination regulations.
- A.6 Any undue noisy or any unruly behaviour or the use of foul or abusive language.
- A.7 Disruption of any class or any other college activity, whether or not involving staff or other students.
- A.8 Deliberately or by serious negligence causing damage to any college buildings, equipment, books or furnishings or any property of others.
- A.9 Any unauthorised interference with hardware, software or data belonging to or used by the college.
- A.10 Any unauthorised removal or use of college property or facilities and any vandalism.
- A.11 Any theft of property or any other dishonest acts.
- A.12 Any bullying or cyber-bullying, fighting, intimidation, aggressive behaviour, taunting, verbal abuse or threat of violence, harassment, sexual harassment, name calling or humiliation of a member of the college.
- A.13 Bringing alcohol onto the college site or while on a college organised or arranged activity, out of normal college hours.
- A.14 Any criminal behaviour.
- A.15 Dishonesty.
- A.16 Inappropriate dress.
- A.17 Truancy.
- A.18 Inappropriate sexual behaviour.
- A.19 Failure to honour the Student's Learner Agreement.
- A.20 Failure to follow any of the Colleges Policies or Procedures.

### NOTES

1. It is emphasised that this list is not exclusive or exhaustive and there may be other matters which may warrant inclusion. For this reason, the Head of student services, in consultation with Head of Hall, may judge other actions etc to be examples of Misconduct



## **APPENDIX B - EXAMPLES OF SERIOUS MISCONDUCT**

- B.1 Any particularly serious case of misconduct may be treated by the college as serious misconduct.
- B.2 Any continued and / or repeated misconduct.
- B.3 Any use of violence or a serious threat of violence.
- B.4 Wilfully endangering the health or safety of theirs.
- B.5 Any behaviour, statement or image which is racially or sexually offensive.
- B.6 Any illegal act, or act which is suspected of being illegal, which may have an adverse affect on the work of the college or on other students.
- B.7 Any behaviour which could bring the college into disrepute.
- B.8 The use, possession or supply of any non-prescribed drugs on college premises or on any activity associated with the college.
- B.9 Any behaviour which seeks to involve another student in actions which undermine the college's attempts to safeguard all students.
- B.10 A refusal to be searched by an Authorised Member of Staff
- B.11 Bringing onto the college site or any external college related activity, knives or weapons, illegal drugs and stolen items.
- B.12 The consumption of alcohol onto the college site or, in some instances, while on a college organised or arranged activity, out of normal college hours.

## **NOTES**

1. It is emphasised that this list is not exclusive or exhaustive and there may be other matters which may warrant inclusion. For this reason the Head of student services, in consultation with Head of Halls may judge that other actions etc to be examples of serious misconduct.

## **Appendix C - Loreto College's power to Search Students**

### **1. Searching with a student's consent.**

- Loreto staff can search students with their consent for any item. Teachers can ask a student to turn out their pockets, look in a bag and if the student verbally agrees then the search can go ahead. A teacher can apply an appropriate punishment for possession of objects against college rules, for example using a phone in a class test.
- A student refusing to cooperate with such a search when instructed by a member of staff, will face Disciplinary Action in line with the College's Student Behaviour Policy.

### **2. Searching without a Students Consent**

#### **Establishing grounds for a Search without Consent**

- Authorised members of staff can only undertake a search without consent if they have reasonable grounds for suspecting that they have possession of a prohibited item. They may for example, have heard other students talking about the items or they may have noticed a student behaving in a way that causes them to be suspicious.
- The powers allow Loreto Staff to search regardless of whether the student is found, after the search, to have that item. This includes circumstances where staff suspect a student of having items such as illegal drugs or stolen property, which have later found not to be illegal or stolen.
- Staff can view CCTV footage in order to make a decision as to whether to conduct a search for an item.
- The Principal or a member of the college staff authorised by the Principal may search a student without their consent for items banned from college, i.e. Prohibited Items
- The member of staff must be the same sex as the student and there must be a same sex member of staff present as a witness.
- A member of staff can carry out a search of a student of the opposite sex without a witness present, but only where the member of staff reasonably believe that there is a risk that serious harm will be caused to a person if the search is not conducted immediately and where it is not reasonably practical to summon another member of staff.
- A student may be searched when the Principal or authorised persons have reasonable grounds for suspecting that a student is in possession of a prohibited item
- Loreto Behaviour Policy makes clear what are Prohibited Items
- Authorised Members of Staff at Loreto may conduct a Search without consent for Prohibited items which include:
  - Knives or weapons, alcohol, illegal drugs and stolen items
  - Fireworks and pornographic images
  - Any article that the member of staff reasonably suspects has been, or is likely to be, used to commit an offence, or to cause personal injury to, or damage to property.

- Searches without consent can only be carried out on the college premises or elsewhere, where the member of staff has lawful control or charge of the students, for example, college trips.
- The person conducting the search may not require the student to remove any clothing other than outer clothing which includes hats, shoes, boots, gloves and scarves.
- The member of staff may search desks, lockers, bags and the College's computer systems and files. The member of staff may search desks, lockers, bags and the College's computer systems and files.
- A student's possessions may only be searched in the presence of the student and another member of staff, except where there is a risk that serious harm will be caused to a person if the search is not conducted immediately and where it is not reasonably practical to summon another member of staff.
- Members of staff can use such force as is reasonable given the circumstances when conducting a search for prohibited items.
- After the search a member of staff may confiscate, retain and/or destroy items found. Colleges can dispose of alcohol as they think appropriate. Controlled drugs should be delivered to the Police, but may be disposed of if the member of staff thinks that there is good reason to do so. Otherwise substances may be confiscated. Stolen items should be handed to the Police. Fireworks should be disposed of and should not be returned to the student. Pornographic images should be disposed of, although extreme or child pornography should be handed to the Police. Where items have been, or could be used to commit an offence should be handed to the Police or disposed of or returned to their owner as thought appropriate. Weapons or items which are evidence of an offence must be handed to the Police. It is up to teachers to decide whether there is good reason for not delivering controlled drugs or stolen items to the Police. In this situation, a member of staff will use their professional judgement to determine whether they can safely dispose of a seized article.
- Loreto College is not obliged to inform parents before a search takes place. The College is not obliged to keep a record of the search.
- Complaints about a search should be dealt with through the normal complaints procedures. Should a student resist a search being conducted to such an extent to make an Authorised Member of Staff's attempt to use reasonable force as impractical, then the student should be verbally warned that their refusal to be searched would constitute Serious Misconduct and that they should be warned that the penalty for this may be Permanent Exclusion from College.