NORTH HERTFORDSHIRE COLLEGE AND HART LEARNING & DEVELOPMENT

POSITIVE BEHAVIOUR POLICY

GOVERNANCE AND CONTROL

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INTRODUCTION

This document takes a trauma informed (TI) approach, adopting key theory and practice to support all students and apprentices in their engagement with learning and participating in the college/learning community. A culture of mutual respect and high expectations sit at the heart of this document, where all processes in practice are tailored based on individual needs as well as the overall safety of the college/learning community.

Reasonable adjustments are therefore vital depending on individual experience and needs balanced with the requirements of the chosen area of study. This document aims to ensure that the studies of all students are successful by:

- Understanding all behaviour as a communication tool with a focus on identifying the underlying reasons for the behaviours shown.
- Emphasising the importance of collaborative working to ensure best outcomes.
- Working with individuals to understand their needs and address these as part of structured educational support.
- Reviewing existing plans where personal circumstances and experiences continue to be a barrier to learning for the individual or for others.

The Positive Behaviour Policy recognises the importance of creating a positive learning environment where staff and students feel safe, and that when challenges occur, all involved are treated with respect and understanding.

This policy applies to everyone studying with North Hertfordshire College and Hart Learning and Development.

We aim to ensure that:

- There is a consistent approach to promoting behaviour that supports learning
- There is an emphasis on building healthy and connected relationships between students and staff.
- There is an approach to dealing with unacceptable behaviour and misconduct based on a trauma informed model.
- We provide a safe space where all individuals can study and work free from any forms of bullying, intimation, and harassment.
- In taking this approach, we ensure that the needs for one individual do not outweigh the needs of the wider organisation.

EXPECTATIONS OF POSITIVE BEHAVIOUR

Our expectations for positive behaviour are and focused on respect for others, yourself, and the environment. Individuals are supported by Engagement & Support Plans should they struggle to engage with learning or in their interventions with other members of the college/learning community.

Respect for others

- Value all members of the college and learning community
- Arrive on time, with everything that you need to make the most of your session
- Avoid language, behaviour, physical actions, and electronic communications which could be upsetting or intimidating to others.
- Only using your ID badge for your own access to the building, encouraging those without badges to go to reception.
- Plan phone calls and messages outside of scheduled lessons or meetings
- Utilise available support systems should you be concerned about the behaviour or wellbeing of others or for yourself.

Respect for yourself

- Value all members of the college and learning community
- Take responsibility for your own behaviour and its impact on others
- Participate fully in every part of your programme
- Wear your ID badge at all times
- Submit your work on time
- Attend all of your sessions and planned activities
- Challenge yourself to achieve the very best you can

- Take time for self-care and reflect on your own wellbeing
- Follow the “Presentation at College” criteria on page 6 of this document

Respect for the environment

- Keep the environment clean and tidy
- Only smoke in the designated areas
- Stay safe - respect and follow all health and safety regulations
- Travel to and from college/learning in a respectful and appropriate manner

In working with the Group to support students - parents and carers are expected to both promote and embody these expectations. All members of the Hart Learning Group community, including students, parents, staff, and visitors, should be able to work in a safe environment free from intimidation of others. At no point should any member of the community be subject to any verbal or physical abuse. Any external individual on site who persistently does so will be asked to leave site and appropriate steps will be taken to ensure future safety of all persons.

Examples of behaviours not tolerated include:

- Persistent abusive telephone calls
- Swearing or calling offensive names
- Persistent abusive emails
- Derogatory comments directed towards staff
- Individuals attending site without an appointment and refusing to leave when asked
- Any behaviours leading to the distress or intimidation of our community

The Group reserves the right to cease communications beyond those required by statute with any individual who demonstrates the behaviours noted above

ENAGEMENT AND SUPPORT PLANS (ESP)

An Engagement Support Plan is used to address concerns around engagement, behaviours or conduct. This may be around intentional inappropriate behaviours, or it could be unintentional as a response to external factors which may be beyond an individual’s control.

ESPs can be applied in two ways:

- Reactive: Responding to emerging concerns including attendance, poor behaviour, or specific incidents. These discussions recognise that not all poor behaviour is intentional and may sometimes be a reaction to perceived threat

or as a result of a trigger response. Due consideration and support will be assessed in relation to individual triggers and mitigating further issues. However, the safety and wellbeing of all members of the study community must be central to any assessment.

- Proactive: Recognising individual barriers to learning at the commencement of study which may impact that individual's ability to fully engage in the course. This is most likely to be related to health needs or external factors and would be written in collaboration with parents/carers/health care professionals as appropriate.
  We recommend that these are reviewed each half term as part of progress review to ensure needs are still being met. If attendance or engagement becomes affected between these times, an earlier review should be called with all those who collaborated on the original plan.

In each case, the needs are identified and understood with a plan agreed going forward. This ensures that the policy is a useful and flexible tool for addressing concerns utilising a trauma informed approach.

This policy aims to facilitate an early intervention approach to reduce the need for the more formal elements of the process and/or exclusions. However, it recognises that the latter steps may at times be necessary where more serious issues occur or required adjustments are beyond the scope of our provision.

UNDERSTANDING AND ADDRESSING POOR BEHAVIOUR

We address inappropriate behaviour or misconduct using a restorative process which is broken down into one informal stage and four formal stages. The process is outlined in the table on pages 7 and 8 of this document. It should be noted that for short courses, such as employability programmes, the time spans given will be reduced to reflect the shorter length of the course.

At each step, the reasons for any behaviours or incidents will be considered and discussed. Emphasis is placed on early intervention to allow any needs to be identified and addressed before the more formal process is required.

Should a more serious incident occur requiring a response in the formal process we will still look to take a nurturing and understanding approach whilst ensuring the college and study settings are a safe space for all. This is a collaborative approach to enable and support the student to improve their communication and behaviours. However, being trauma-informed is not about letting inappropriate behaviours go unchecked, but rather providing the right guidance and support to change them where possible.

Regretfully, there are instances where exclusion may be necessary although we will do all we can to avoid this where possible. Where an exclusion is required, we continue to work with the individual to provide advice and guidance alongside transition to any relevant support services.

Careful consideration is taken about which staff members support all levels of the procedure throughout this document

UNDERSTANDING AND ADDRESSING BARRIERS TO LEARNING

Whilst having high expectations of those who study with us, the organisation recognises that, due to personal circumstances, students/learners might not be able to meet the requirements of their course.

Such circumstances might include:

- Medical conditions
- Mental health difficulties
- Responsibilities such as caring for a parent or siblings
- Bereavement
- Not recognising when their behaviour is impacting on staff and other students/learners

As noted, we may be aware of some of these potential barriers at the commencement of the course. Here we can implement an ESP at the start of the course as a proactive step to try and pre-empt and potentially reduce the impact of these concerns.

This will include a set of parameters for the minimum required level of academic progress, practical activity, and attendance. Some of these parameters are set by the awarding bodies so due consideration will need to be given to the individual qualification studied. Where required, we will liaise with the awarding body to seek approval for any adjustments requested to ensure we are still meeting the parameters of the qualification. In all cases, we strive to be as inclusive as possible whilst ensuring we are still supporting our students/learners to achieve to the highest of their ability.

In the event of such issues arising whilst on a study programme we can implement an ESP as a reactive measure.

An ESP initiated during the course will assess whether it is in the best interest of the student/learner to:

- Be supported to continue their studies,
- Take a break and return to learning after a short “rest period”
- Stop studying for that academic year to focus on health or other personal needs.

Each will be assessed on an individual basis with the interests and wellbeing of the student/learner as priority.

When a serious health concern occurs requiring emergency medical intervention, we request a short pause in on-site learning of up to 5 days.
During this time, we will liaise with external medical professionals, family/carers, and any other relevant professionals to fully assess needs and identify any safety and support plans required. This will be led by the medical professionals and their expert

guidance to ensure we are taking the right steps to safeguard all individuals affected. In some cases, where further information or assessment is required, we may need to extend this time learning remotely and, in some exceptional cases, may need to implement a break in learning to ensure wellbeing is prioritised.

PROFESSIONAL BODIES

Many of our students/learners are training for professional roles and we, as an organisation, have a duty to ensure individuals are fit to continue on programme and/or practise in that field after completing their studies in accordance with professional body guidelines.

Our expectations are as follows:

- Behaviour in college /in lessons, on placement and within the community is professional at all times.
- Students/learners take positive steps to stay fit and healthy and seek help where health deteriorates and has an impact on college/placement activities.
- Students/ learners report any concerns relating to themselves or others which may impact on fitness to practise in their chosen field. In many cases, there may be steps we can take to support you to reduce any negative impact. Many professional bodies make such declarations compulsory within their own policies and guidance, so it is important to share and not put your employment or chosen future role at risk.

PHYSICAL PRESENTATION AT COLLEGE

College is often the first opportunity for many of our students/learners to dress according to their own style choices. Whilst we do not operate an overarching uniform policy, it is important that the professional standards which we strive to maintain are reflected in the way we present ourselves. To this end we provide the following criteria that we ask all members of the HLG community to adhere to when on site.

- Clothing does not contain graphics or wording which may cause offense including expletives, nude images, or depictions of drug use
- Underwear is completely covered by outer garments
- Bra tops, bandeau tops and swimwear are not acceptable forms of outerwear
- Any shorts or skirts should fully cover the buttocks
- Nipples should not be visible including through sheer clothing
- Pyjamas and onesies are not suitable daytime attire

Some curriculum areas will have additional dress requirements for reasons such as health and safety. This will be clearly explained to you at induction if required. Apprentices will need to follow the guidance provided by their employers when in the work environment.

Behaviour and misconduct – table of actions. For NHC staff -each of these will need a meeting created on ProMonitor to record and upload documents. Apprentices will be recorded on OneFile. If a student fails to attend an ESP meeting without notifying us, the meeting will proceed in their absence and documentation shared.

Stage	When is this appropriate?	What happens?	Who is involved?	What is the outcome?
Informal - Emerging Concern	To deal with minor misdemeanours When staff suspect a student may have unidentified support needs Low level concerns e.g., first missed submission of work, low level disruption in class, falling attendance, poor punctuality	Conversation with student takes place, to discuss need for improvement and identify support needs Emerging concern record created and signed	Student Tutor present when concerns have occurred	Signed form uploaded to meeting on ProMonitor or OneFile in the support notes Support Coaches and/or Progress and Inclusion Leads notified
STAGE 1 First formal discussion and ESP	Where there have been three emerging concerns or significant behaviour/misconduct warranting stage 1. Continued concerns following an Emerging Concern	Formal discussion with student Identify the triggers for the behaviour. Creation of stage 1 ESP What could help avoid these behaviours in future? Student led and staff led.	Student Tutor Course team leader, Advocate or support for the student -Parents/carers, where appropriate	Signed form uploaded to meeting on ProMonitor or OneFile in the support notes Support Coaches and/or Progression and Inclusion Leads notified This will be reviewed within a timeframe agreed by tutor At review, plan may continue, move to stage 2 or close.

STAGE 2 Second formal discussion and ESP	Continued concerns following first discussion Sufficiently serious behaviour warranting stage 2	Formal discussion with student and parents Creation of a stage 2 ESP (or update of stage 1 where relevant) Consider triggers and possible mitigating actions as above Discuss the potential impacts of the concerns	Student Course team leader, Support coach (if already involved) Head/Deputy Head of Curriculum Advocate or support for the student -Parents/carers, where appropriate	Details logged on ProMonitor or OneFile Support Coaches involved Letter, with agreed ESP, sent to student and parents/carers Review meeting scheduled At review, plan may continue, move to stage 3 or down to stage 1.
STAGE 3 Third formal discussion and ESP	Continued concerns following stage 2 Sufficiently serious concern warranting stage 3	Formal meeting Creation or revision of an ESP Consider triggers and possible mitigating actions as above Discuss with student impacts and outcomes and steps to be taken to protect place on course.	Student Course team leader, Support coach (if not already involved) Head/Deputy of Curriculum Advocate or support for the student -Parents/carers, where appropriate	Details logged on ProMonitor or OneFile Letter, with agreed ESP, sent to student and parents/carers Review meeting scheduled At review, plan may continue, move to stage 4 or down to stage 2.
STAGE 4 - STEP 1 Suspension	Serious misconduct Involvement in a physical altercation Vaping on college premises	Student is temporarily suspended pending investigation	Student Head of Curriculum Director of Curriculum	Letter sent to notify student of suspension. Invite later sent to student and parents to STAGE 4 review panel within 5 working days

	Continued concerns following stage 3	Student submits evidence via statement to Head of Curriculum/Director	Advocate or support for the student -Parents/carers, where appropriate	
STAGE 4 - STEP 2 Formal panel	Following STAGE 4 STEP 1 suspension	Formal panel Opportunity for student to discuss their statement in more detail Opportunity for provision of new/additional evidence Routes made clear around reintegration on stage 4 or possible exclusion following outcome of full investigation.	Student Advocate or support for the student - Parents/carers, where appropriate Head/Deputy of Curriculum Head/Deputy Head from the Student Hub Director of Curriculum Member of SMT (not the Principal) if Directors not available within the required time frame.	Review with Director and one other member of SMT not on panel (not the Principal) to agree outcome Following the panel meeting, letter is sent to student and parent/carer to advise of outcome within 5 working days If continuing in learning, ESP 4 plan will be created, and review date agreed At review, plan may continue, move to stage 3 or a new review panel called.
STAGE 4 - APPEAL	Following STAGE 4 STEP 2 Permanent Exclusion	The Deputy Principal allocates the appeal to a Director of Curriculum not previously involved in the case. Appeals Director undertakes a desk-based review of all evidence from the stage 4 formal panel meeting If, in the judgement of the Director, the desk-based	Appeals Director Advocate or support for the student - Parents/carers, where appropriate Appeals Director Head/Deputy Head from the Student Hub	Desk-based review with appeals Director~~s~~ to decide if an appeal will be granted. A letter is sent to the student and parent/carer to inform them if an appeal will be granted 5 working days after the appeal has been received. If an appeal has been granted and following the panel meeting, a letter is sent to student and

		review highlights any issues with the stage 4 panel hearing, or where there is NEW evidence not previously presented or considered at the stage 4 panel hearing, there may be an appeal panel hearing. Opportunity for student to discuss their case and NEW evidence provided to action an appeal. Routes made clear around reintegration on stage 4 or permanent exclusion following outcome of appeals panel.	Member of SMT (not the Principal) if Directors not available within the required time frame.	parent/carer to advise of outcome within 5 working days after the hearing If returning to learning, ESP 4 plan will be created, and review date agreed At review, plan may continue, move to stage 3 or a new review panel called.

CLARIFICATION

What is classed as serious misconduct?

If behaviour is serious enough it can mean that higher levels of the process should be used. Serious misconduct can include, but is not limited to, the situations described below:

1. Misuse of a substance (including possession and supply of alcohol, illicit substances, solvents, and prescription drugs not prescribed for that person). This includes vaping inside college premises.
2. Violent conduct against a member of the college/learning community and/or inciting or promoting violent conduct of others. Involvement in a physical altercation will lead to a suspension for all involved whilst an investigation takes place.
3. Carrying or having possession of an offensive weapon. This includes the wearing or bringing onto Group premises any kind of martial arts/ self defence equipment that is designed to afford protection by inflicting injury.
4. Persistent or violent bullying, intimidation, or harassment of a member of the college/learning community or treating them in a discriminatory manner. This includes creation or membership of any online groups or private chats that persistently targets another member of the college community, either directly or indirectly.
5. Sexually harmful behaviours included sharing of unwanted images and/or messages with sexual content.
6. Theft or wilful, substantial damage of HLG property, or property belonging to a member of the college/learning community
7. Misuse of technology or the internet, including filming and or sharing on social media materials that may bring the organisation into disrepute or compromise the privacy of others.
8. Behaviours that would place themselves or others at risk of harm. This may include not following the direction of staff should an incident occur, deliberately placing themselves in a situation that could increase risk of harm or behaving in such a way that prevents others from keeping safe such.
9. If serious misconduct takes place off site, the process may be implemented where there is a likelihood of further incidents or disturbance to the learning or wellbeing of other students. This may also be the case when the behaviours of students/learners off-site could be damaging to the reputation of the group [See also *When is it appropriate to have police involvement?*]

When can parents/carers be contacted?

Parents/carers must be contacted in most situations unless:

- A student has given acceptable reasons why this should not happen, e.g., independent living or there are safeguarding concerns that would be impacted by contacting the parent/carer
- The student is 18 years or older on commencement of the course and has not given permission to contact parents/carers

When can a suspension be used?

A temporary suspension can be used in a case of gross misconduct, if there has not been any response to the earlier steps of the ESP process, or there are reasonable grounds to believe that the continued presence of a student within the College may lead to:

- Further incidents
- Hindrance of disruption to an investigation
- Disruption of learning for other students
- A temporary suspension can be imposed by a Director of Curriculum or a member of SMT (not the Principal) in the absence of a Director.

In all cases the Deputy Principal must be notified

Temporary suspensions should not last longer than ten working days. Suspension can be renewed at this point by the relevant staff member as shown above. This should be clearly communicated to the student and parent/carer where appropriate and reasons given.

During the period of suspension, as far as practicable, staff should enable students to keep up to date with learning, coursework, examinations, and assessment. Support provision should also continue where appropriate with additional support discussed and considered in recognition of the distressing nature of a suspension.

There may be some occasions where it would be more appropriate to send a student home for the remainder of the day without implementing a formal suspension at that time. This may be following some form of physical incident or an occurrence leading to heightened emotions which would benefit from a time for cooling off and reflection prior to then addressing in the formal space.

How should an investigation take place?

Investigations may be required where further information is needed to complete a stage of the review process. The following must be followed for any investigation:

- The investigation should take place within 3 days of an event occurring.

- Where there is concern that a student's presence may hinder an investigation, they should be suspended.
- The investigation should be carried out by a Head or Director of Curriculum, with support from other Heads/ Deputies who are impartial and not involved with the situation in question.
- Investigations may include interviews, collecting witness statements, review of documents or evidence.
- Findings must be shared with the relevant manager within 2 days of the investigation concluding.
- An investigation may continue beyond the formal panel meeting where any additional evidence is shared that is pertinent to the outcome.
- Any internal investigation will need to be temporarily halted should we be notified that the incident has been reported to the police [See page 13 Police involvement]

What notice period should be provided to a student for a formal meeting?

The formal notice period for Stages 2, 3 and 4 is 5 working days. A shorter notice period may be accepted where it is in the interest of the student and all parties are agreeable/available.

If a parent/carer is invited to a formal meeting, then sufficient notice should be given to allow them to make arrangements to attend.

A meeting may be held beyond 5 working days if parents/carers are unable to attend before this time. However, the Group cannot then be held to account for a delay.

How should a stage 4 formal panel be organised?

A formal panel should be organised using the following guidance:

- Evidence should be presented at the meeting. This will be a verbal summary where GDPR would prevent physical evidence being shown.
- The student must have the opportunity to state their case and raise any concerns.
- Opportunities to ask questions will be given.
- Any mental health issues, disability or learning difficulty must be taken into account along with a trauma-informed approach to understand triggers and/or mitigating factors. This will be balanced with consideration for safety and wellbeing of all members of the learning community including the student/learner themselves.
- Summary minutes will be taken at the panel. This will cover key points and will not be a verbatim record of the conversation.

- If further evidence is provided for consideration, this will be followed up within 5 working days to avoid delays to the final outcome.
- The student must be informed of the outcome in writing within 5 working days.

In cases of violent conduct requiring police intervention, we reserve the right to hold an internal review without a formal panel hearing.

How should a permanent exclusion be dealt with?

- The student must be notified of the decision in writing within 5 working days of a decision being made in accordance with the timespans above.
- The student ID card and any college items should be surrendered.
- Student is offered the opportunity to appeal within ten working days of the decision letter being received.
- A formal panel is required for all exclusions. In serious cases, the Director can enforce a temporary suspension up until the date of a panel.
- The Deputy Principal must be informed of all decisions to exclude.

The student will be offered advice and guidance alongside transition to any relevant support services.

In cases of violent conduct requiring police intervention, we reserve the right to exclude without a panel.

What is the appeals process?

- A student can appeal a permanent exclusion decision within ten working days of the formal notification by letter.
- There must be a clear rationale for an appeal to take place. This includes the submission of NEW evidence, that wasn't previously considered as part of the stage 4 formal panel meeting.
- Notice of appeal along with the NEW evidence, must be made in writing to the Deputy Principal and clearly state the reasons for the appeal.
- The Deputy Principal will allocate the appeal to a Director of Curriculum, not previously involved in the case. The Director will complete a desk-based review of all evidence heard at the stage 4 formal panel meeting alongside the NEW evidence submitted with the appeal.
- If the desk-based review highlights any issues with the stage 4 panel hearing or where there is NEW evidence that had not previously been presented at the stage 4 panel hearing, there may be a further panel hearing. This should panel take place within ten working days following receipt of the appeal request and accompanying NEW evidence.

- The panel would be formed of the appeals Director (not previously involved in the case) and either the Head or Deputy Head of Student Success and Inclusion or Wellbeing and Safeguarding .
- At the meeting, the student should be given the opportunity to present their case for appeal.
- Following a desk-based review or where a second panel hearing has taken place, confirmation of the appeal outcome will be made within 5 working days in writing.
- Students who have been excluded will be subject to a “cooling off” period of at least a year and a screening process, should they wish to apply to any courses within the Hart Learning Group in future.

When is it appropriate to have police involvement?

If the police alert us to a case involving one of our students/learners, or there may be a reason to believe that a student/learner may have committed a criminal offence, we have a duty to liaise with the police. This should be done through the Director of Curriculum or the Designated Safeguarding Lead (or deputy).

In some cases, the Group will be required to implement a temporary suspension owing to a criminal case outside of college. This will only be through the direction of the police or where it is felt that there is risk of harm or disruption to the student/learner or other members of the Group community.

- There are occasions where internal investigations must be halted when a student/learner or parent/carer utilises their right to report issues to the police.
- We cannot divulge that there is an external investigation until the police give us approval to do so. We cannot take statements or discuss the issue with any individuals involved as to do so could potentially compromise police evidence.
- Should this occur, the Group will always maintain regular contact with the police until such time as information sharing is agreed, as we would always prefer to be as open and transparent with students and families as possible.
- Where a police investigation is of significant severity, the Group reserves the right to suspend or direct a student/learner to work remotely whilst the investigation takes place. This will always be based on information received from the police team.

Following the completion of any police investigation, the Group will then return our own internal processes where still applicable.

Restorative justice

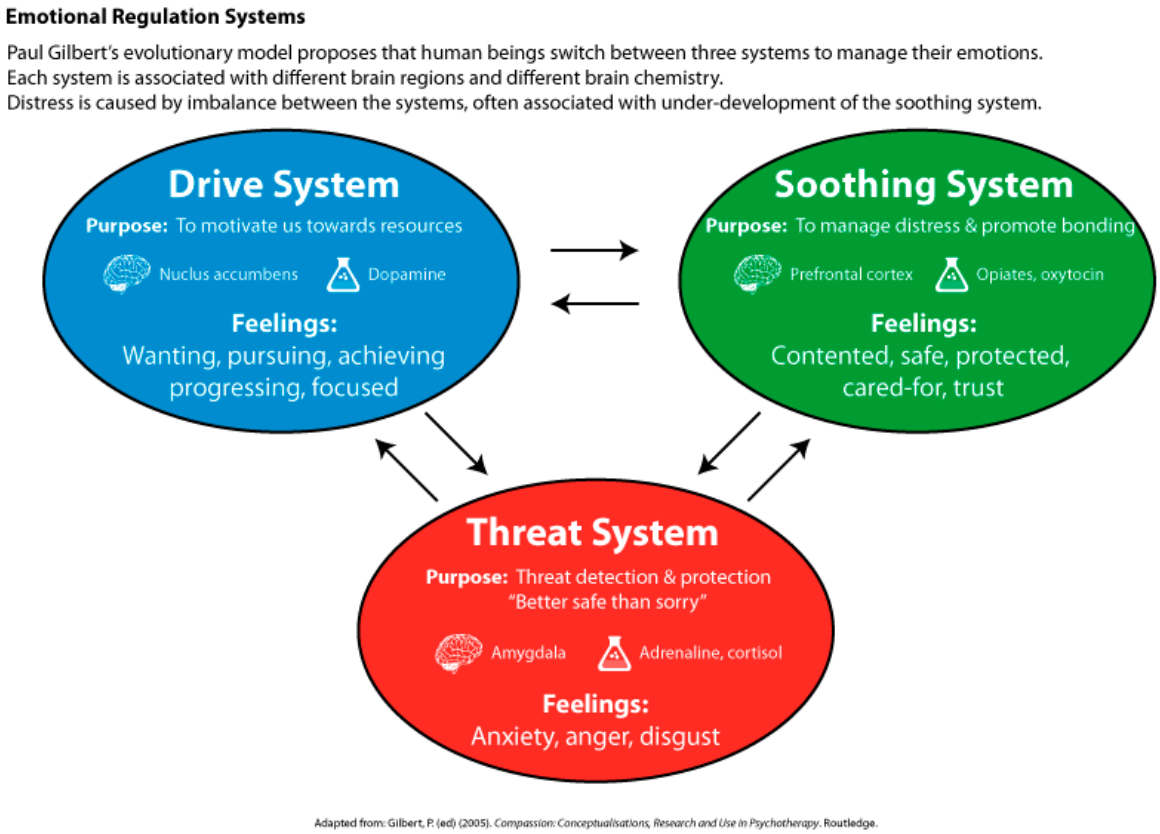
Where possible we will look at whether a restorative justice approach may be beneficial. This may include mediated meetings between students/learners for which an incident has occurred, or reparative tasks (if appropriate and safe to do so) where there has been damage to property. In each instance it is important that the individual understands and reflects on the impact of their actions.

Lack of Engagement in the Positive Behaviour Process [PBP]

There are occasions where students and parents/carers do not respond to, or engage with, the ESP. This is usually in the form of non-attendance for prolonged periods without notification as to why. In these instances, curriculum staff will continue to maintain contact via phone, email and – where required – letters to home. This contact will include the offer of meetings to discuss needs and barriers to learning along with the offer of support from the The Student Hub team.
If, following repeated attempts, the student does not re-engage, the curriculum head reserves the right to withdraw the student from the programme. This would then be notified in writing and include signposting to other external services that may be able to assist.
Should there be safeguarding concerns in relation to the student a referral will be made to the relevant service.
For any students under 18 – we will notify Services for Young People (or other relevant county equivalent) to make them aware that the young person is NEET (not in education, employment, or training).

The Trauma-Informed Approach

Hart Learning Group take a trauma-informed approach looking at the psychology behind individual actions and reactions and any adverse childhood experiences that may inform these. In understanding and evaluating behaviours we use the model shown below.



RELATED POLICIES

Anti-bullying Policy

HLG IT Policy for Users

Substance Misuse Policy