

Positive Behaviour Policy

2024 - 2026

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1. RATIONALE

- 1.1 The College recognises it has a duty to promote positive behaviour and to build an ethos of respect, tolerance and citizenship amongst the College community.
- 1.2 The College recognises that there will be instances where disciplinary action is needed in order to protect the rights of learners, staff, visitors and the wider community.
- 1.3 This Disciplinary Policy is intended to set out procedures to ensure that learners are supported and dealt with fairly, consistently and in a timely manner.

2. GENERAL PRINCIPLES

- 2.1 The main expectations of learners' behaviour are set out in the learner Code of Conduct. Other guidelines for learner behaviour will be issued as necessary and approved by the College Executive team.
- 2.2 The Learner Code of Conduct is based on 3 main principles:
 - Ready
 - Respect
 - Be Safe
- 2.3 The learner Code of Conduct is not an exhaustive list and the College reserves the right to apply sanctions for other offences which it deems are contrary to the spirit of the Code of Conduct.
- 2.4 This Positive Behaviour Policy applies to all learners enrolled at Coleg Sir Gâr / Coleg Ceredigion. This includes full-time and part-time learners; learners enrolled on to Work Based Learning programmes and Higher Education learners.
- 2.5 Higher Education learners are also subject to the regulations laid out in the Academic Quality Handbook of the UWTSD.
- 2.6 The College reserves the right to apply disciplinary outcomes for offences which take place away from the College (or online) where such actions have the potential to bring the College into disrepute or to affect the safety and / or rights of other learners, staff or visitors.
- 2.7 All staff and all learners have a role to play in promoting and maintaining high standards of behaviour.
- 2.8 Consistent application of the Positive Behaviour Policy is key to promoting high standards of behaviour. The College Management teams will ensure that all staff are aware of the policy and understand the principles underpinning its application.
- 2.9 The College will make all reasonable efforts to ensure that learners are informed about, and understand, the expectations laid out in the Code of Conduct and any other guidelines.
- 2.10 **Minor breaches** of the Code of Conduct will be dealt with informally. More **serious breaches** of the Code of Conduct will normally lead to a Formal Disciplinary Hearing. (see Appendix A for examples).

- 2.11 The College recognises the need to apply its Positive Behaviour Policy with professional judgement, and through a Trauma Informed lens taking into account personal and extenuating circumstances. The College will also make “reasonable adjustment” to the application of this policy where it is required by the Equality Act 2010.
- 2.12 Supportive measures will also be considered for learners who are subject to disciplinary action. This could include mentor support, counselling, support from Personal Tutors or referrals to external agencies.
- 2.13 The College will exercise its’ rights under this policy based on principles of fairness, transparency, the need to listen to all parties and the need to reach a decision in a timely fashion.
- 2.14 The College Safeguarding Panel can determine to exclude / withdraw learners where the panel have reason to believe that they cannot be sufficiently persuaded that they can carry out their Safeguarding Duties to the College.
- 2.15 Any part of the Positive Behaviour Process can be conducted / communicated in Welsh or English and neither will be treated less favourably.
- 2.16 Learners enrolled on professionally focused programmes / courses of study are required to display appropriate professional behaviour during their studies (Internally and on placement). This is behaviour that:
 - conforms to the relevant code of professional conduct or practice;
 - is consistent with the behaviour required by the relevant profession and by the employers of such professional staff;
 - does not jeopardise or put at risk the welfare, wellbeing or safety of others, including those within the College community, professional staff, patients, pupils, clients, or members of the public; and
 - does not jeopardise or put at risk the learner’s own welfare, wellbeing, or safety; safeguards public confidence in the profession.

3. STAGES IN THE POSITIVE BEHAVIOUR PROCESS

- 3.1 The disciplinary process consists of the following levels:
 - **Informal** - In the first instance any member of staff who witnesses a behaviour or incident which breaches the college code of conduct should initially try to resolve the problem, they should then make a note and report to the staff member responsible for the learners group (Personal Tutor, Course Tutor, Pastoral Coach, Training Advisor or Programme Leader) who will always be the first point of contact and will manage behaviour taking into consideration any additional needs of the learners. This may include signposting or working with external stakeholders and support services (for example parents / guardians / support workers) - this does not have to be through a cause for concern. It is expected that a support meeting will be held once a learner receives three causes for concern by the member of staff responsible for the group.

All learners will receive a tutorial, where they will be given opportunities to learn about personal development and topical issues and will have 1:1s to monitor and track progress. This is an opportunity to put in place any supportive actions.
 - **Cause for Concern Notes** - These are for recording minor breaches of the Code of Conduct.

- **Formal** - The level of which can only be decided after fact finding has been completed).
 - **Stage 1** - Is an informal stage and will include support meetings.
 - **Stage 2** - Includes a first written warning for recording more serious breaches.
 - **Stage 3** - Includes a final written warning for recording serious and substantial breaches.
 - **Stage 4** - Includes and inclusion panel and could lead to exclusion for matters judged to be “gross misconduct”.

4. DEALING WITH MINOR BREACHES THROUGH CAUSE FOR CONCERN NOTES

- 4.1 Minor breaches of the Code of Conduct will be dealt with informally and recorded on the Student information system along with an action plan if needed.
- 4.2 Any member of staff may issue a Cause for Concern note and this will be discussed with the learner by a Personal Tutor, Course Tutor, Training Advisor or equivalent.
- 4.3 Repeated minor breaches of the code of conduct will be dealt with by a Personal Tutor, Course Tutor, Lecturer, Training Advisor or equivalent are required to produce an action plan (see Appendix E) and communicate with parents where appropriate.
- 4.4 Continued breaches of the Code of Conduct will be dealt with via a Formal Disciplinary Hearing.
- 4.5 Normally three separate Cause for Concern Notes within a half term will be treated as “repeated minor breaches” and the Personal Tutor, Course Tutor, Pastoral Coach, Training Advisor or Programme Leader will refer individuals to Curriculum Management teams for appropriate action.
- 4.6 Staff dealing with learners who have received 3 or more cause for concern notes are encouraged to identify whether there are any additional learning needs or trauma that may need reasonable adjustments.
- 4.7 Staff will exercise professional judgement when considering whether “repeated minor breaches” should be referred for more formal action. This will include consideration of the learners individual learning needs and any personal and extenuating circumstances including past trauma. Staff must discuss individual cases with Learner Support (Wellbeing) or Learning Support (ALN) if there is any concern over the appropriateness of pursuing more formal disciplinary action.
- 4.8 Curriculum Area Management Teams will be responsible for monitoring entries to the Student information system to ensure consistency.
- 4.9 When referring to a formal discipline stage, the Personal Tutor, Course Tutor, Pastoral Coach, Training Advisor or Programme Leader needs to contact the parents / carers of the learner (if under 18) or a learner at risk.

5. FORMAL DISCIPLINARY HEARINGS

The level of formal discipline can only be decided after fact finding which then gives a recommendation as to which stage the discipline needs to be heard at (if the case is upheld).

A member of staff will be appointed to act as a Fact-Finding Officer (FFO).

- For allegations likely to lead to a final written warning, the FFO will normally be the Personal tutor, Course tutor or Training Advisor.
- For allegations likely to lead to a final written warning, the Investigating Officer will normally be a member of the Curriculum Area Management Team.
- For allegations likely to lead to Exclusion, the Fact-Finding Officer (FFO) will normally be a member of the Curriculum Management Team.
- The FFO and Disciplinary Officer (DO) must seek advice from the Wellbeing and ALN teams to ensure learners' needs are being met if reasonable adjustments are identified.
- There will be occasions where the FFO may also be the DO. e.g., where the fact finding concludes that it needs to be dealt with on a different level.

- 5.1 The decision to proceed to a formal meeting at the relevant stage of the Formal Disciplinary process will only be made after fact finding has been carried out.
- 5.2 In making a decision to proceed to the relevant stage of the Formal Disciplinary process the guidelines outlined in (section 6) below will be used as a guide to determine the appropriate stage of process and possible outcome.
- 5.3 The relevant staff named below will typically be the Disciplinary officer (DO) within the Formal Disciplinary process.
- 5.3.1 **Stage 2 - First Written Warning** - Head of Curriculum or Assistant Head of Curriculum (DO).
- 5.3.2 **Stage 3 - Final Written Warning** - Assistant Director (DO).

The following is for guidance only and variations may be agreed between the Heads of Curriculum, Assistant Director and the Director of Learner Experience or Director of Curriculum. There may be occasions where the FFO may also be the DO e.g., where the fact finding concludes that it needs to be dealt with at a different level.

- 5.3.3 **Inclusion Panel** - Director of Curriculum or Director of Learner Experience (DO) with two other managers from the College.
- 5.4 At all stages where there is an identified additional learning or support need you must involve a member of staff from the ALN and/or Wellbeing Team in the meetings, to support the learner and to advise on any reasonable adjustments needed.
- 5.5 Within the Formal meetings the FFO will produce a written report outlining the facts (Fact Finding Report - FF) and the evidence supporting formal action using the college template.

The FF report will typically include:

- Interviews / Statements with from learners (the learner who is being investigated must have the opportunity to provide a statement or interview prior to any formal meeting);
- Interview / Statements with course tutors and any other relevant staff;
- Information from Student Information System - Attendance, general concerns, academic profile, wellbeing or ALN;
- Summary of evidence;
- FFO decision on what stage of the positive behaviour process should be.



- 5.6 Written communication inviting a learner into a meeting or panel will be provided to a learner at any stage of the Formal Disciplinary process. The communication will provide:
- Written invitation to the meeting stating reason for formal action;
 - Fact Finding Report (This will be retracted);
 - A copy of the policy.
- (Please note all learner's individual learning needs must be factored into the communication being shared - Seek advice from the ALN or Wellbeing team on the most appropriate way of communicating with the learner).***
- 5.7 Written notification of any Formal Disciplinary meeting should be given with a minimum of 2 working days notice of the meeting.
- 5.8 Copies of any correspondence will be sent to parents / carers of any learner who is under the age of 18 or a learner at risk at the same time.

ADULT AT RISK DEFINITION

Any person aged 18 and over who is or may be in need of community care services by reason of mental health issues, learning or physical disability, sensory impairment, age or illness and who is or may be unable to take care of themselves or protect themselves against significant harm or serious exploitation.

- 5.9 A learner who is unable to attend a meeting at any stage of the Formal Disciplinary process must contact the manager conducting and see if an alternative date or time can be arranged. The manager conducting the process has the authority to grant an alternative meeting appointment at their discretion.
- 5.10 Where a learner fails to attend a meeting at any stage of the Formal Disciplinary process, without making contact, the manager conducting the meeting has the authority to hear the case in their absence.
- 5.11 The FFO will present a summary of the report in the meeting. The DO conducting the meeting will make all reasonable efforts to ensure that the learner understands and the potential consequences. ***(N.B. the learners individual learning needs must be factored into the communication being shared).***
- 5.12 In some circumstances, a particular learning need may require reasonable adjustments to be made to the process by the Disciplinary Officer (DO).
- 5.13 Decisions made following any formal meeting at any stage of the process will be based on the principle of the balance of probability. It is not intended that allegations have to be proved "beyond all reasonable doubt".
- 5.14 The manager conducting the meeting at any stage within the process may inform the parties that they wish to take a period of up to 3 working days to reach a decision.
- 5.15 The outcomes of the meetings from any stage of the Formal Disciplinary process will be communicated in writing to the learner, and parents / carers if under 18, within 3 working days of the decision. The outcomes will be recorded on the student record system. Warnings will be entered on to the system by the manager who has carried out the process. Copies of the outcomes will also be shared with any supporting agency at the discretion of the learner or associated safety concerns.



- 5.16 Learners must be asked if they wish for their Disciplinary process to be conducted in Welsh and this service must be provided if that is their wish.

6. OUTCOMES FROM FORMAL DISCIPLINARY HEARINGS - WARNINGS, EXCLUSIONS AND ACTION PLANS

- 6.1 The following examples are provided as guidance when considering the level of hearing or sanction to be applied for typical breaches of the Code of Conduct. The list is not intended to be exhaustive. Managers will consider the severity and impact of any alleged breaches on learners, staff and the College when deciding which level of sanction to apply.

6.1.1 STAGE 2 - FIRST WRITTEN WARNING

TYPICALLY, but not exclusively, these are provided for:

- repeated minor breaches of the Code of Conduct;
- absence below the College target, without adequate explanation, in any 4-week period;
- vaping indoors and/or continued vaping outside of designated areas;
- smoking outside designated areas;
- dropping litter;
- rude and disruptive behaviour;
- breaches of driving and parking regulations;
- breaches of the College Social Media and/or IT policy;
- breaches of guidelines on behaviour relating to transport, use of library / Learning Resource Centres, social spaces, etc.

6.1.2 STAGE 3 - FINAL WRITTEN WARNING

TYPICALLY, but not exclusively, these are provided for:

- failure to improve or a repeat of breaches leading to a previous warning;
- offensive or discriminatory language or behaviour;
- actions which bring the College into disrepute;
- threatening behaviour;
- plagiarism;
- fraud (including forging of signatures for EMA payments);
- breaching rules relating to work placement;
- language or behaviour which has a substantial impact on other learners, staff, visitors or the wider community;
- actions or behaviour which pose a risk to other learners, staff visitors or the wider community.

6.1.3 INCLUSION PANEL - EXCLUSION FOR GROSS MISCONDUCT

TYPICALLY, but not exclusively, these are provided for:

- failure to improve following a final written warning;
- repetition of acts which led to a final written warning;
- violence;
- theft;
- serious acts of discrimination;
- serious acts of bullying or harassment;
- serious actions bringing the College into disrepute;
- serious breaches of the College IT or social media policies;

- serious inappropriate or offensive sexual behaviour;
- deliberate damage to College property;
- serious incapability through alcohol or being under the influence, or in possession, of illegal drugs;
- negligence which causes serious loss, damage or injury;
- language or behaviour which poses a serious and substantial risk to other learners, staff, visitors or the wider community.

6.1.4 Learners on professionally focused programmes will also be reported to their professional body should they be excluded.

6.2 **SUSPENDED EXCLUSION**

A suspended exclusion can be handed out by the Inclusion panel, whereby the panel feels that the learner's behaviour could be deemed to meet the threshold for exclusion, but there is mitigating circumstances.

The learner will be informed that any further breaches of the College code of conduct will then lead to the exclusion being invoked.

When a suspended exclusion / final written warning or first written is handed out an action plan setting out the improvements in behaviour expected of a learner will also be produced and shared. These will be recorded on the student record system and will be monitored by the Course Tutor, Personal Tutor, Training Advisor or equivalent. The learner, parent / carer and the manager conducting the process will sign a copy of the action plan.

6.3 **RESTORATIVE JUSTICE**

Restorative practice will help build relationships that have potentially been broken or damaged due to the incident, it also gives the potential victim an opportunity to be heard.

Restorative practice needs both sides to agree to the meeting and with both sides being open to understanding how the other person felt.

The aim of the restorative meeting will be to:

- enable a learner to take responsibility and understand the impact of their actions on others; and
- demonstrate to those affected by a learner's action.

This does not always have to happen in person; this could also be complete in writing. This must be recorded on the Action Plan (Appendix E).

7. **RIGHT TO REPRESENTATION AT A FORMAL DISCIPLINARY HEARING**

7.1 A learner having a meeting at any stage of the Formal Disciplinary process has the right to be represented.

7.2 The learner's representative will be one person from one of the following categories:

- parent / carer;

- a fellow learner;
- student Union Officer;
- friend (not involved in the incident)
- or a member of the Learning Support Team (ALN) / Learning Support Team (Wellbeing); or
- a relevant support agency.

7.3 It is not considered appropriate for a learner facing a formal disciplinary process to be represented by a solicitor or other person acting in a professional legal capacity.

8. INCLUSION PANEL - ARRANGEMENTS FOR MEETINGS WHICH MAY LEAD TO EXCLUSION

8.1 The College recognises the seriousness of any decision to exclude a learner. Such decisions are only made where it is considered that a learner has committed a serious, substantial or continued breach of the Code of Conduct or has committed some other act which does damage, or has the potential to damage, the interests of the College, other learners, staff or the wider community.

8.2 A Formal Disciplinary Hearing leading to exclusion will follow the principles outlined in section 5 above, with the additional requirement that evidence is considered by a panel of staff which will typically chaired by a Director of Curriculum or Director of Learner Experience or in exceptional cases another member of the College Senior Leadership Team who will act as Disciplinary Officer (DO), it will also need two other managers from the College and a member of the Wellbeing Team or ALN Team if appropriate.

8.3 Where the panel finds that allegations are substantiated there will normally be a decision to exclude with immediate effect.

8.4 The panel may decide to impose a sanction short of immediate exclusion. These include:

- A **“suspended sentence”** - where there is evidence that an exclusion is justified by the evidence at the hearing but the panel wish to provide the learner with an opportunity to remain in college on the understanding that the learner may be asked to leave with immediate effect if there are any further breaches of the Code of Conduct. No further hearings will be held. The decision to invoke such an exclusion will be taken by the panel present at the original hearing.
- A first written warning, or a final written warning, or extension of an existing final warning, from the date of the inclusion panel.

9. TIME PERIODS FOR WARNINGS TO REMAIN ON SYSTEM

9.1 **First Written Warnings** - will remain on a learner's record for a period of 35 College weeks.

9.2 **Final Written Warnings** - will remain on a learner's record for a period of 52 College weeks.



10. RE-ADMISSION FOLLOWING FINAL WRITTEN WARNING OR WITHDRAWAL / EXCLUSION

- 10.1 The College reserves the right to refuse admission to any of its courses following a withdrawal / exclusion.
- 10.2 Individuals wishing to re-apply to College following a withdrawal / exclusion will be subject to attending an interview with an Admissions Panel prior to their application being considered by a Course Team.
- 10.3 The College will also require any learner who has received a final written warning to attend an Admissions Panel before being considered for entry to another course within the College this will be convened by a Director of Curriculum or Director of Learner Experience and the head of Curriculum for the area the learner is applying for and a member of the Wellbeing Team or ALN Team if appropriate.
- 10.4 Where a learner is re-admitted following withdrawal / exclusion or final written warning the College reserves the right to impose a sanction of a final written warning to be in place from the start of any new course. This will also apply if a learner has previously withdrawn from a course before attending a scheduled Disciplinary Hearing which could have led to a final written warning or withdrawal / exclusion.

11. SUSPENSIONS

- 11.1 In instances where there is a reasonable belief that a learner poses a risk to other learners, staff, visitors or the reputation of the College, an immediate suspension may be invoked prior to any fact finding.
- 11.2 A decision to suspend will normally follow an initial fact finding of any allegations. The decision to suspend a learner will normally be taken by an Assistant Director / Director of Curriculum or Director of Learner Experience or a member of the Senior Leadership Management Team.
- 11.3 The College reserves the right to impose a temporary suspension prior to any Formal Disciplinary Hearing.
- 11.4 A suspension does not indicate any judgement regarding allegations against a learner.
- 11.5 Suspension following allegations that are likely to lead to a final written warning will normally last for no more than 5 College days, although there may be occasions where this needs to be extended and this will be communicated with the learner.
- 11.6 Suspension following allegations that are likely to lead to a final written warning or exclusion will normally last for no more than 10 College days, although there may be occasions where this needs to be extended and this will be communicated with the learner.
- 11.7 Suspension will be treated as authorised absence from College for the purpose of EMA payment.

12. ADDITIONAL SANCTIONS FOR ISSUES RELATING TO COLLEGE TRANSPORT



- 12.1 Where a breach of the learner Code of Conduct takes place on College transport additional sanctions may be imposed. These may include the following:
- temporary removal of a bus pass.
 - permanent removal of a bus pass.
 - a requirement that a learner travels by an alternative route.
 - a requirement that a learner pays for any damage to a bus or other form of transport.
- 12.2 Any additional sanction will only be imposed after fact finding and any Formal Disciplinary Hearing.
- 12.3 Additional sanctions will be agreed between the College and the Transport Unit of Carmarthenshire or Ceredigion County Council.

13. **ADDITIONAL SANCTIONS FOR ISSUES RELATING TO BREACHES OF DRIVING AND / OR PARKING REGULATIONS**

- 13.1 Where breaches of the learner Code of Conduct involve issues relating to driving or parking additional sanctions may be imposed. These include the following:
- A requirement that a learner does not bring any vehicle onto College grounds for a fixed period.
 - A requirement that a learner does not bring any vehicle on to College grounds for a limited period.
 - A requirement that the learner hands in car keys at the beginning of a College day and does not drive their car until leaving College premises at the end of the day.

14. **LOSS OF EMA PAYMENTS**

- 14.1 Learners will not lose EMA payments while suspended.

15. **APPEALS**

Learners have the right to appeal at all stages in the disciplinary process. Appeals will only be considered where there are grounds to believe that the procedures set out in this document have not been followed or where there are grounds to believe that any sanction imposed is unproven. An appeal will not be granted to reconsider the original allegations or to hear evidence that could have been made available at the original process.

- 15.1 The College will receive appeals in Welsh or English and neither will be treated less favourably.
- 15.1.1 **Appeals against the issuing of a Cause for Concern Note** – should be made in writing to the relevant Head of Curriculum. An appeal should be received within 5 working days of a Concern Note being issued. The Head of Curriculum (or an appointed Deputy) will review the circumstances of the Cause for Concern Note and will make a judgement as to whether the Concern Note was reasonable. The decision of the Curriculum Head (or appointed Deputy) is final, and will be communicated **within 10 working days** of receipt of the appeal.
- 15.1.2 **Appeals against a First Written Warning or Final Written Warning** – should be made in writing to the Director of Curriculum or Director of Learner Experience. The appeal should be made within 5 working days of receipt of a letter informing the learner that a Warning has been issued. The appeal will be considered by the Director of Curriculum or Director of Learner

Experience and one other manager not previously involved. The decision of the Appeal Panel is final, and will be communicated **within 10 working days** of receipt of the appeal.

15.1.3 **Appeals against Withdrawal/Exclusion** – should be made in writing to the Principal using the email address - complaints@colegsirgar.ac.uk. An appeal against a withdrawal/exclusion should be made **within 10 working days** of receiving the letter of exclusion.

- a) On receipt of the withdrawal/exclusion letter, if the learner is not satisfied with the outcome, the learner may request that the exclusion be reviewed by the Principal or Principal's nominee (normally a Vice Principal not previously involved in the Positive Behaviour process). This is requested by sending an email or writing to the Principal using the email address - complaints@colegsirgar.ac.uk or address Principals Office, Coleg Sir Gar, Graig Campus, Sandy Road, Llanelli, SA15 4DN.
- b) A request for a review of the withdrawal/exclusion may only be made on one or more of the following grounds:
 - you have submitted additional evidence, which was not available at the time of submission of the inclusion/safeguarding panel;
 - you are claiming (and submitting evidence or detailed reasons) that the fact finding and inclusion/safeguarding panel was not conducted fairly;
 - you are claiming that the withdrawal/exclusion was not handled in accordance with this policy.

In the email requesting the review of the outcome, the learners must state the reason for the appeal.

- c) The Principal or Principal's nominee shall review the appeal to ascertain if the request has been made on permissible grounds and if a clear case has been made. The Principal or Principal's nominee may refuse any request which is not based on the grounds stated above or in which it is apparent that no clear case to review the appeal has been made. The Principal or Principal's nominee shall be empowered to take one of the following decisions:
 - i. to uphold the original withdrawal/exclusion outcome;
 - ii. to refer the case to an appeal panel as set out below in 15.2.

This will be communicated within five days of receiving the appeal.

- d) The Principal or Principal's nominee decision shall be final, and the matter shall, therefore, be regarded as closed. There shall be no discussion of the decision of the Principal or Principal's nominee with the learner or any other person.

15.2 **Appeal Panel** – The appeal will be heard by a panel consisting of a minimum of 3 people, at least one of whom must be a member of the College Governing Body, one member of the College Executive team and one other member of the Senior Leadership Team and where appropriate a member of the ALN and Wellbeing team. No member of the Appeal Panel will have had previous involvement with the Formal Disciplinary process. The Appeal Panel will normally meet within 5 working days of the Principal or Principal nominee communicating that an appeal panel will be convened. The Appeal Panel will consider evidence from the person making the appeal, the disciplinary officer or other managers involved and any witnesses called by either party.



The Appeal Panel has the authority to uphold the original decision; to impose a lesser sanction or to reach a decision that the original allegations are not proven and no sanction should be issued. The decision of the Appeal Panel is final.

16. CRIMINAL PROCESSES

- 16.1 Where an incident occurs, either within or outside of College which results in a Police charge, investigation and/or bail conditions being served, we will await the conclusion of any investigation or hearing before invoking (where applicable) this policy. Depending on the nature of the charge, the College reserves the right to suspend any learner until the Police case has concluded.
- 16.2 Any criminal process will normally take priority over any College internal process, if there is a criminal process being undertaken for learners on a course where the learner is in a Position of Trust or where there the course has professional standards to uphold, the concern will also be shared with the Local Authority Designated safeguarding officer (LADO) for potential discussion at a Professional Standards Meeting - Section 5 All Wales Safeguarding Procedure/ and the professional body. Care will be taken that there should be no duplication of process and no other process should normally operate at the same time. It may be deemed necessary to suspend the learner while an external investigation is carried out, this will be decided after a risk assessment is conducted by the Head of Learner Support and Wellbeing and Head of Curriculum / Assistant Director of Curriculum.
- 16.3 If the learner is convicted of a criminal offence, this outcome will be taken into consideration by the College. If action is needed by the College, this will instigate a Risk assessment meeting which will be held with the Director of Learner Experience / Assistant Director of Curriculum and Head of Learner Support and Wellbeing. External advice will be considered from the relevant professional body and from the Section 5 All Wales Safeguarding Procedures - Professional Standards Meeting.
- 16.4 If the learner has been acquitted of a criminal offence, the College may still take action against the learner if there is sufficient evidence of a breach of the relevant professional standards, this will be taken through the appropriate policy.

17. REVIEW DATE FOR POLICY

- 17.1 The policy will be due for review by September 2026.

APPENDIX A - LEARNER CODE OF CONDUCT

RESPECT

Our Code of Conduct is based on 3 principles:

1. Ready
2. Respectful
3. Safe

Ready

- ◆ Attend all lessons
- ◆ Be on time for all lessons
- ◆ Take part fully in your course including tutorials, careers guidance, visits, work experience and any additional support arranged for you
- ◆ Have the right equipment for every lesson
- ◆ Aim for excellence in all you do
- ◆ Complete all your work by the agreed deadlines
- ◆ Make progress against any targets agreed and set
- ◆ Work together with other students to achieve your goals
- ◆ Attend all examinations / assessments for which you have been entered
- ◆ Report any absence by contacting your campus office before 10am on each day of absence
- ◆ Only use the IT facilities as outlined in the IT Acceptable Use Policy
- ◆ Switch off all mobile phones in learning areas [i.e., classroom or learning resource centres] unless agreed by the tutor and only use your mobile in an appropriate way in student common areas
- ◆ Abide by the rules for behaviour on college transport, education visits and in public areas such as libraries and canteen

Be Respectful

- ◆ Treat and talk to all staff, students and the local community with respect
- ◆ Respect the college's commitment to equality and not discriminate against groups or individual
- ◆ Do not use offensive language
- ◆ Smoke and Vape only in designated smoking/vaping shelters
- ◆ Value the college environment by not dropping litter
- ◆ Do not damage college furniture or buildings
- ◆ Avoid wearing clothing with offensive slogans or logos

Be Safe

- ◆ Do not participate in any act or threat of violence, racism, bullying, intimidation or verbal abuse
- ◆ Do not put yourself or others at risk of harm
- ◆ Do not bring into college or work any items that could be considered to be a weapon - for example knives, firearms
- ◆ Never bring drugs or alcohol onto college premises or be under the influence of drugs or alcohol
- ◆ Use the internet and social media safely
- ◆ Have your Student ID Card with you at all times when at college

APPENDIX B - FITNESS TO STUDY POLICY - SEE POLICY

https://drive.google.com/file/d/1xf0_g1uWvkYise_6oNPZ44L3d8XBB9K5/view - English

<https://drive.google.com/file/d/1V-SUkC43Nd165ohMijWAFLnvn0RBh2Qa/view> - Welsh

APPENDIX C - FORMAT OF FORMAL PROCESS

Stage 2, Stage 3 and Inclusion Panel.

Note the level of the meeting can only be decided after fact finding has taken place.

A learner may be suspended but this will be done without prejudice.

At all stages the IO and DO must also discuss with the learner and staff members involved if they would like any support or adjustments as not to re-traumatise.

FORMAL DISCIPLINARY PROCESS AND APPEAL PROCEDURE

1. The College disciplinary officer (DO) shall chair and put the case in the presence of the learner and his/her representative and outline the agenda of the meetings. In Inclusion panels and any appeal of exclusion there will also be a note taker for accuracy.
2. The fact-finding officer (FFO) will read through the case in the presence of the learner and his/her representative.
3. The learner (or his/her representative) shall have the opportunity to ask questions of the FFO and College representative and of any witnesses.
4. The DO conducting the process/appeal shall have the opportunity to ask questions of the FFO and witnesses (in the case of an appeal this will be done separately).
5. The learner (or his/her representative) shall make a response in the presence of the FFO and may call witnesses.
6. **(Inclusion Panel only)** Other members of the disciplinary panel shall have the opportunity to ask questions of the learner and of any witnesses.
7. The DO followed by the learner (or his/her representative) shall have the opportunity to sum up their cases if they so wish.
8. The FFO and any other College representatives, the learner and the learner's representative and witnesses shall withdraw.
9. The DO (and 2 other managers in the case of an Inclusion panel) conducting the process/appeal shall deliberate in private only calling the FFO and the learner or his/her representative) to clear points of uncertainty on facts already given.
10. All the parties will be informed of the decision of the process / appeal and any associated actions. In exceptional circumstances, the decision may be postponed until further information is available.
11. The decision will be confirmed in writing to the learner (and his/her representative) within 3 working days for an inclusion panel and 7 working days for an appeal process.

APPENDIX D - POSITIVE BEHAVIOUR POSTER



coleg**sirgâr**



coleg**ceredigion**

STUDENT CODE OF CONDUCT: BE KIND

We want you to succeed, be happy, be safe and valued in Coleg Sir Gâr / Coleg Ceredigion.

Wherever you are in College, on transport to College or online learning, we expect you to behave respectfully towards others and the College environment.

Our Code of Conduct is based on the three Principles:

BE READY BE RESPECTFUL BE SAFE

By not showing these values you may need follow the College Positive Behaviour Policy process.

All learners will have a Tutor and these will be the first point of contact and where possible will manage behaviour taking into consideration any additional needs the learner(s) will have before moving through the Positive Behaviour Policy.

If you bring a weapon, physically assault anyone or have drugs in College you may go straight to the Inclusion Panel and may be asked to leave college.

The college Positive Behaviour Policy shows the different stages:



**STAGE 1
CAUSE FOR CONCERN**
Being late, low level disruption, littering
Tutor / Teacher / Assessor



**STAGE 2
FORMAL MEETING**
Repeated actions after cause for concern, vaping in the building, or a more significant action.
Head of Curriculum



**STAGE 3
FINAL MEETING**
More serious action - fighting, formal warning template action has been repeated.
Assistant Director



**STAGE 4
INCLUSION PANEL**
Single extreme behaviour incident or a pattern of serious behaviour actions that have been logged but no improvement has been seen.
Director of Learner Experience / Director of Curriculum

Mae'r ddogfen hon ar gael yn Gymraeg hefyd.

APPENDIX E - LEARNER ACTION PLAN

Learner Name:..... Person Code:..... Date:.....

Action Number	Description of Action / Improvement Expected	Target Date	Date for Review	Comments
1				
2				
3				
4				

Restorative Justice Actions				
Action Number	Restorative actions to be taken	Target Date	Date for Review	Comments
1				
2				
3				
4				

Learner Signature:		DATE:	
Tutor Signature:		DATE:	

APPENDIX F - STAFF CHECKLIST

Coleg Sir Gar / Coleg Ceredigion [Positive Behaviour Policy](#) Flow Chart and Templates.

	Who	Fact Finding Officer	Documentation (sent to parent if under 18)	Appeal – To Whom	Time span
Cause for Concern Support Meeting(s) Informal Process	Tutor / Assessor / Training Advisor / LAP / course leader / mentor	Tutor / Assessor / Training Advisor / LAP / Course Leader / Mentor Note and action must be recorded on Gar-i.	<ul style="list-style-type: none"> Action plan - Include time measurable targets on Gar-i / EBS. Support meeting noted on Gar-i / EBS 	Head of Curriculum	Recorded on Gar-i / EBS
Formal Process Stage 2 Outcome - First Written Warning	Head of Curriculum / Accompanied by support area as appropriate / if needed (Wellbeing / ALN) If being taken to Stage 2 for continued concerns has a support meeting being held with an action plan and dates.	Tutor / Assessor / Training Advisor / LAP / course leader / mentor Fact finding template	<ul style="list-style-type: none"> Letter to be send to learner giving them 2 days notice. Letter giving decision with action plan to include time measurable targets on Gar-i / EBS 	Director of Learner Experience or Director of Curriculum	35 College weeks
Stage 3 Final Written Warning	Faculty Manager / Accompanied by support area as appropriate (Wellbeing / ALN)	Section Head / Tutor / Assessor / Training Advisor / LAP / course leader / mentor Fact finding template	<ul style="list-style-type: none"> Letter to be sent to learner giving them 2 days notice Letter giving decision with action plan to include time measurable targets on Gar-i / EBS 	Director of Learner Experience or Director of Curriculum	52 college weeks
Exclusion	Director of Learner Experience / Director of Curriculums	Head of Curriculum / Ass Director of Curriculum	<ul style="list-style-type: none"> Letter to be sent to learner giving them 2 days notice 	Clerk to the Board	Right to apply with an admission panel meeting /



	to chair with 2 other managers	<u>Fact finding template</u>	<ul style="list-style-type: none"> Letter giving decision with action plan 		dependant on exclusion outcome.
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Check Points

- Have you updated and checked Gar -I / EBS?
- What is the cause of the behaviour? Is the learner known to ALN or the Wellbeing Team?
- Does the learner need an advocate?
- Remind the learner always about the college expectations Ready, Respect, Safe.

******Check on Support needs on Gar- i / EBS before conducting any fact finding ******



Policy title	Positive Behaviour Policy
Policy presentation	This will be made available in writing (Arial font size 10) in Welsh and English. Alternative formats may be requested. Such requests should be made to vanessa.cashmore@colegsirgar.ac.uk
Policy communication	Staff and Student Gateway
Main purpose of the policy <i>(brief summary)</i>	<p>The College is committed to being a supportive and inclusive working and learning environment, where there is mutual respect and equality for all, and where differences are celebrated and respected.</p> <p>The Positive behaviour policy is about recognising positive behaviours and working in a collaborative way to get the best possible outcomes.</p>
Main author <i>(who can provide advice and guidance on contents)</i>	Tom Snelgrove - Director of Learner Experience
Date of Governing Board approval	25 th January 2024 (Original policy)
Date effective from	25 th January 2024
Date for renewal	September 2026
Date of equality impact assessment	16/06/2023
Date of Welsh language Impact Assessment	16/06/2023
Date of privacy impact assessment	16/06/2023
Risks associated with policy <i>(if policy is not implemented)</i>	N/A