

Student Behaviour and Attendance Policy (Colleges and School Sixth Forms)

Version 4

This policy applies only to New College Bradford, New College Doncaster, New College Pontefract, New Brinsworth Sixth Form and New Dinnington Sixth Form.



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1.0 Introduction

- 1.1 The Trust is committed to establishing and maintaining excellent working relationships between staff and students and is fully committed to giving support, advice and guidance to assist students in developing their conduct and behaviour.
- 1.2 If you have a query/complaint regarding this policy, please see contact details for staff below:

New College Bradford

Queries – Please Contact Jon Zeb, Assistant Principal – Tel 01274 089189

Email: jon.zeb@nclt.ac.uk

New College Doncaster

Queries – Please Contact Mark Ibbertson, Assistant Principal Tel No: 01302 976777

Email: mark.ibbertson@nclt.ac.uk

New College Pontefract

Queries - Please contact James Morris, Assistant Principal Tel No: 01977 702139

Email: james.morris@nclt.ac.uk

New Brinsworth Sixth Form

Queries - Please contact Becky Smith, Assistant Headteacher (Sixth Form) Tel No: 01709 828383

Email: Becky.Smith@nclt.ac.uk

New Dinnington Sixth Form

Queries – Please Contact Samuel Hunter, Head of Sixth Form Tel No: 01909 550066

Email: S.Hunter@nclt.ac.uk

For complaints, please contact Sam Corbett, Trust Governance Professional Tel No: 01977 802802 Email: sam.corbett@nclt.ac.uk

- 1.3 The Trust reserves the right to amend this policy at any time in the academic year and to direct formal behaviour and attendance procedures as appropriate.
- 1.4 The contents of this policy will be disseminated and shared with all students during their induction period and revisited throughout the year.

2.0 Scope and Purpose

- 2.1 This policy is divided into two sections of behaviour and attendance. The first section on behaviour outlines our student 'Student Code of Conduct' and is followed by the procedures for responding to issues around misconduct and gross misconduct. This information will also be available on each school or college's website. Student misconduct refers to unacceptable behaviour that adversely affects teaching and

learning, student progress, activities taking place within the college or the smooth functioning of the college, the reputation of the college, or the individual rights and experiences of other members of the school or college community.

Gross misconduct refers to very serious unacceptable behaviour and includes the behaviour set out further in this policy. Misconduct, which is sustained, despite formal behaviour and attendance actions, is also considered to be gross misconduct.

- 2.2 The policy is a guide to individual/institutional responsibilities and sanctions that can be employed when endeavouring to influence a student's behaviour. **Student behaviour has a significant impact on attainment as well as the ethos of the school or college.**

The attempt to support students to maintain appropriate standards of behaviour is central to this policy document. We recognise the importance of developing positive relationships, the provision of guidance and feedback, the effectiveness of monitoring and establishing clarity of expectations when addressing issues of behaviour. We also recognise that context and personal circumstances can sometimes impact on student behaviour and that no two students or the circumstances of misconduct are likely to be exactly the same. As such, the Trust will use professional judgement, may sometimes vary the approach it takes and may make adjustments to arrangements set out within this policy when addressing issues relating to behaviour.

- 2.3 Within the Trust, all members of staff are accountable for challenging unacceptable behaviour. It is essential that we have high expectations and are consistent in the behaviour we accept on site, in lessons and the wider community. Behaviour and expectations should be in line with the Trust's Values (5 C's); Candour, Challenge, Collaboration, Commitment and Care. It is important to build a relationship based upon respect and support and, for this reason, it is important to support our students in a professional manner and ensure that the relations we build with them are non-threatening and supportive.
- 2.4 For low level or emerging concerns, emphasis should be on informal resolution through discussion and establishing clarity of expectations. This helps to develop trust, build relationships and avoids unnecessary escalation. However, where misconduct is more significant, or where a student is damaging their own prospect of success or that of other students despite attempts to address concerns informally, more formal behaviour and attendance action may be required.

Section A – Behaviour

3.0 Student Code of Conduct and Gross Misconduct

3.1 Positive Behaviour

One of the most effective techniques to reduce behaviour problems is the use of praise and recognition, and positive support. Opportunities should be used to positively affirm the styles of behaviour we see modelled by students: staff should thank students for

their contributions; punctuality; meeting deadlines and positively comment when improvements are made. It should also be recognised that staff act as role models to students and should therefore present appropriate behaviour at all times during the working day. Staff are encouraged to make good use of systems that recognise positive behaviour, such as the use of commendations or other praise systems established within schools and colleges.

High quality teaching and learning and effective systems of academic and pastoral support and intervention help students to feel confident and well-supported, reducing the likelihood of poor behaviour.

3.2 Student Code of Conduct

Our Student 'Code of Conduct' sets out our expectations regarding student conduct and attendance. Failure to fully meet any of the expectations set out within this Student Code of Conduct constitutes misconduct. The code is not exhaustive, however, and there may be other examples of behaviour which may be considered to be misconduct.

Academic Expectations

All students are expected to:

- Remain committed to a full-time programme of study which will include a minimum of the equivalent of three level 3 subjects, and any GCSE resit courses if applicable.
- Show dedication to academic studies putting this as a priority above all other out of school/college commitments, for example part-time jobs and social commitments.
- Approach all school/college related tasks with an appropriate high level of enthusiasm, dedication and application, to include independent, self-directed study in accordance with course recommendations.
- Attend and engage in Academic Interventions.
- Complete and meet deadlines for Directed Independent Learning (DIL) as directed by subject staff, producing work that is fully complete and to a good standard.
- Complete and meet deadlines for coursework/non-examined assessment elements, ensuring the work that they submit is their own, has not involved the misuse of AI such that it is not their own work, and is not plagiarised in any other way. Students must be able to demonstrate their submission is a product of their own independent work and independent thinking.
- Complete and meet assignment deadlines for Applied General qualifications, ensuring the work that they submit is their own, has not been created using AI and is not plagiarised in any other way.

Attendance and Punctuality Expectations

All students are expected to:

- Maintain high levels of attendance and to inform their Progress Tutor/Form Tutor and teacher as soon as practicable if for any reason they are unable to attend a lesson or other programmed events.

- Avoid absence as a result of family holidays or other unauthorised absence such as driving lessons, employment, overseas travel or family visits.
- Arrive at, and be ready to start learning at, the published start time of each lesson.
- Avoid making non-emergency medical or dental appointments during school/college hours. Where this is unavoidable but essential students/parents should also notify the school/college in advance of these appointments wherever possible, and proof of the appointment must be provided.
- Take responsibility for catching up on any work missed through absence.

Conduct Expectations

All students are expected to:

- Follow the reasonable instructions of members of staff at all times
- Adhere to modern British values of democracy, the rule of law, individual liberty, and mutual respect and tolerance of those with different faiths and beliefs.
- Demonstrate appropriate conduct and language towards staff and students including meeting the expectations set out in Trust policies such as the Social Media and the Equality and Diversity Policies
- Wear their lanyards displaying their ID card whilst on site at all times.
- Be organised and prepared for lessons including having the appropriate equipment for every lesson.
- Ensure that all unpaid fees and debts are settled in full.
- Adhere to core expectations in lessons and around the site, for example in relation to the use of outdoor clothing, food and drink in lessons, the appropriate use of mobile phones, and other expectations applicable to the context and environment.
- Act as an ambassador for the school/college and behave in a responsible manner at all times, both within and outside school/college times.
- Respect the local community and ensure that behaviour standards mirror those expected in school/college.
- Be available to see staff within the school/college core day, according to timetable or as and when required by staff.

College Environment Expectations

All students are expected to:

- Use facilities and behave generally in a way which respects the needs and aspirations of others to learn, teach, work and flourish within the school/college.
- Familiarise themselves with the school/college's Health and Safety Policy and other regulations, complying with them and acting at all times with due regard for their own safety and the safety of others.
- Respect the property of the school/college, its staff, students and visitors.
- Ensure that cars, motorcycles and bikes are parked appropriately and safely, with respect to the environment, community and other users both within the facilities provided by the school/college and externally. Electric scooters are not permitted in any circumstances. If permitted, electric bikes must be legal, must not be ridden on site and must be stored securely in the designated area.

- Support staff and other students in maintaining a clean and tidy environment throughout the site.
- Adhere to the Trust's rules on smoking, vaping, alcohol, prohibited items and illegal substances. The use or possession of alcohol and illegal substances is prohibited. Please see gross misconduct.
- Ensure that appropriate dress is worn for an educational setting.

3.3 Gross Misconduct

A non-exhaustive list of examples is provided below. Additionally, repeated breaches of the Student Code of Conduct which results in an escalation through the Formal Behaviour and Attendance system right through to stages 4 and 5 is considered to be gross misconduct. (see section 4.2)

Examples of Gross Misconduct:

- Violent, threatening or obstructive behaviour.
- Harassment or bullying (physical or verbal, including electronic means e.g., text messaging, social networking sites).
- Possession of or dealing in illegal substances.
- Having possession of or being under the influence of alcohol/drugs.
- Serious infringement of the Trust Equality and Diversity policy.
- Failure to meet mandatory deadlines and attend examinations.
- Smoking or vaping in or on the college site.
- Cheating in examinations or failure to follow comply with examination board regulations.
- Theft or wilful damage to school/college property.
- Carrying an offensive weapon.
- Sexual abuse, assault or harassment.
- Making a malicious serious false allegation against a student or a member of staff
- Potentially placing students, staff and members of the public in significant danger or at risk of significant harm.
- Bringing members of the public onto school/college premises or being complicit in them gaining entry.
- Behaviour that brings the school/college into disrepute.
- Failure to complete and submit NEA and Applied General assignments by the final deadline.
- Submission of Applied General coursework / NEA that is plagiarised, created by misusing AI such that it is not the student's own work, or not the product of a student's own independent work and independent thinking.
- Extensive absence as a result of family holidays/prolonged unauthorised absences.

Where the school/college considered that a student has committed an act of serious or gross misconduct, the student may be:

- Placed on Stage 4 or 5 of the Formal Behaviour and Attendance System, or
- Placed on Stage 4 or 5 of the Formal Behaviour and Attendance System, in addition to a suspension or
- Permanently excluded.

4.0 Behaviour and Attendance Intervention

The behaviour of students is integral to maintaining an outstanding learning environment. Therefore, the expectation is that all students uphold the Student Code of Conduct at all times. This section outlines the steps that schools/colleges may take and the interventions that might be used to address concerns about behaviour, breaches of the Student Code of Conduct, or in cases of Gross Misconduct.

4.1 Low Level, Initial and Emerging Concerns

Initial Concerns – Clarifying Expectations

Where there is an initial low-level concern with respect to behaviour, in many cases it is right and appropriate that this is addressed informally through a discussion with the student. This provides an opportunity for staff to professionally outline the concern, to set out clearly what is expected, and for the student to make the required change. Addressing issues respectfully but clearly, in a confident but non-confrontational way, supports students in adjusting their conduct whilst maintaining good student-staff relationships.

Common examples where this informal, low-level approach would be appropriate for initial concerns might include a student arriving late to a lesson, a student not being sufficiently focused on the lesson activities, a student using their phone inappropriately during a lesson, or a directed independent learning task not fully reflecting the level of effort required, meeting the required standard or a deadline for a directed independent learning task not being met.

An informal discussion, as outlined above, will be appropriate in many cases of initial concern, but more significant action may sometimes be required. Some cases of misconduct will be more significant and will require either formal warnings or a formal behaviour and attendance action and staff will exercise appropriate professional judgement.

Recorded Warning

A recorded warning is an informal but recorded indication that there is now an established concern and that formal behaviour and attendance action, or an escalation of formal action, is very likely to follow if the expectations set out are not immediately and fully met by the student. In many cases, a recorded warning is likely to result from initial low-level concerns about behaviour and attendance being repeated despite an initial conversation with a member of staff.

A recorded warning, logged on Cedar/Bromcom, is likely to be instigated:

- If a member of staff has addressed a low-level or emerging concern with a student via an informal discussion, but the misconduct is repeated.
- If a member of staff is addressing an incident of misconduct which they consider just falls short of the need for formal behaviour and attendance action.

A recorded warning should be recorded on Cedar/Bromcom with the 'Recorded Warning' thread. It should outline the concerns and the expectations of the school/college in relation to the issue of misconduct. In many cases it is helpful to notify parents about the recorded

warning via a telephone call from the member of staff issuing the recorded warning, and to discuss the issues of concern that have been addressed.

4.2 Formal Behaviour and Attendance Action – the 5 stages

4.2.1 The Nature of Formal Action

Formal behaviour and attendance action is a formally recorded sanction in cases of serious or persistent misconduct.

Formal action is likely to be taken when

- Initial concerns of low-level misconduct already dealt with through informal discussion, or a formal warning continues to be a concern.
- Expectations set out after earlier formal behaviour and attendance actions are not being met and concerns continue about ongoing misconduct.
- There is an incident of more significant misconduct or gross misconduct.

There are 5 stages to the system of formal behaviour and attendance action.

Stage 1 Formal Behaviour and Attendance Action	
Stage 2 Formal Behaviour and Attendance Action	
Stage 3 Formal Behaviour and Attendance Action	
Stage 4 Formal Behaviour and Attendance Action	Gross misconduct
Stage 5 Formal Behaviour and Attendance Action	Gross misconduct
Permanent Exclusion	

If a student fails to meet the expectations set out following a Stage 5 formal behaviour and attendance action, or if there is further misconduct following a Stage 5 formal behaviour and attendance action, a student should expect that they will be permanently excluded. A student may also be permanently excluded in cases of gross misconduct.

Formal behaviour and attendance action will sit on a student's behaviour record for the duration of their Post-16 studies. It is a sanction that recognises unacceptable conduct. A formal behaviour and attendance action cannot be 'spent' or reduced to a lower level. Any future misconduct would be addressed by a higher stage formal behaviour and attendance action than the previous one, whether this relates to the same issue of misconduct or a different form of misconduct. The stages are cumulative and escalatory.

In most cases, a student would escalate upwards through each of the stages 1 to 5, one at a time. However, where there is an incident of gross misconduct a Stage 4 or 5 behaviour and attendance action is likely to be taken, provided if it is determined that the student should not be permanently excluded.

4.2.2. Authority to Take Formal Behaviour and Attendance Action

Headteachers and Principals are responsible for determining and communicating which members of staff have the authority to place students on each of the stages, reflecting the curriculum, pastoral and leadership structures in place in each setting.

Authority should be based on the following principles:

- It is assumed that a large number, or all, staff members will be able to implement stage 1, signalling responsibility across the staff team for addressing concerns about behaviour and attendance
- As the stages escalate, so too should the seniority of members of staff with the authority to implement the stage. Some post-holders may have the authority to implement multiple different stages.
- Usually, stage 5 is reserved for the Senior Leadership Team, or possibly restricted to specified roles within the Senior Leadership Team
- In colleges, suspensions must be authorised by Principals or Vice Principals. In schools, suspensions must be authorised by the Headteacher.
- In schools and colleges, permanent exclusions must be authorised by the Principal or Headteacher.

Please refer to the Suspensions and Permanent Exclusions Policy for additional guidance in relation to exclusions and suspensions specifically within schools.

4.2.3 Behaviour and Attendance Meetings

When a formal behaviour and attendance action is being taken, the member of staff taking formal action should discuss this action with the student before putting in place the formal stage. In some cases it will be appropriate to include other members of staff in this discussion, for example a Progress Tutor/Form Tutor, Head of Department/Faculty, or other school/college leaders, depending on the circumstances and the stage being used.

The discussion/meeting should:

- Provide an opportunity to discuss with the student the concerns about conduct. The meeting should be clear about the particular parts of the Student Code of Conduct that are not being adhered to.
- Enable the student to provide a response to the school/college's concerns, and discuss any reasons, challenges or context that might need to be taken into consideration.
- Set out clearly the school/college's expectations and the timeframe during which this will be monitored very actively.
- Explore any ways in which the school/college might reasonably be able to provide any additional support, guidance or structure to help the student meet expectations and improve their behaviour.

The significance and nature of the formal action, the implications of not meeting the expectations or if there is further misconduct should be discussed with the student.

At Stages 1 and 2, parents/carers do not need to be invited to attend the meeting, but staff might in some cases feel it is helpful to invite parents to attend. If parents are not in

attendance, a telephone call should be made after the meeting to discuss the issues of concern and any behaviour and attendance action taken.

At Stages 3, 4 and 5, parents/carers should be provided with an invitation to attend the meeting. However, if the parent declines to attend or reasonable attempts to find a suitable timely date and time have not been successful, the meeting may proceed in the absence of parents/carers.

Formal behaviour and attendance action at all stages 1 to 5, should be recorded on Cedar/Bromcom. For stages 3, 4 and 5 a letter should also be sent to the student after the meeting detailing the formal action and expectations, and a copy sent to parents/carers.

4.2.4 Monitoring and Escalation

When a formal action is taken the member of staff must put in place a period of time during which they should closely monitor the student in order to be satisfied that the expectations set out are being adhered to and to assess whether the issue of misconduct has been resolved or continues to be a concern.

In most cases this monitoring window would be a period of 4 school/college weeks, but this may vary depending on the nature of the concerns. If by the end of the monitoring period the member of staff is happy that the student has adhered to the expectations, they should provide feedback to the student where appropriate. In many cases it would also be good practice to notify parents/carers and to make a note of success on Cedar/Bromcom. Positive recognition of the required improvement is good way of reinforcing and sustaining the improvement.

Where behaviour and attendance action is taken for issues relating to ongoing problems such as attendance, punctuality, engagement, meeting of deadlines and quality of work, it would usually be most appropriate to provide the full monitoring period before considering any further behaviour and attendance actions about the same issues of concern. If problems persist within the monitoring window about those same ongoing concerns, staff should continue to address those through discussions with the student, with parents where appropriate, via the use of the 'recorded warning' thread. At the end of the monitoring period, the same member of staff, or other members of staff, should consider whether the next stage is required if the expectations clearly have not been met. Equally, at a later stage beyond the monitoring window, if similar concerns re-emerge, staff should consider whether the next stage of behaviour and attendance action is required.

There are some circumstances in which it may be appropriate to take further behaviour and attendance action before a monitoring period is complete. For example, if there is a significant breach of a different part of the Student Code of Conduct, if there is gross misconduct, or if there is very serious and flagrant disregard for the expectations that have been established following the previous formal action or a serious deterioration of conduct.

Where a member of staff has taken a formal behaviour and attendance action and believes there may be justification for further escalation, they should discuss this further with an appropriate member of staff with authorisation at the next stage.

4.2.5 Transition from Year 11 into Post-16 Study

Admissions into school sixth forms for Year 11 students within that school are subject to different statutory admissions guidance to admissions for students joining sixth form colleges. This impacts upon the different ways in which behaviour and attendance in Years 7 to 11 are taken into consideration as students transition to Year 12 in school sixth forms or colleges, and whether or not places in Post-16 must be offered or can be declined.

In schools within the Trust, where a student progresses into the sixth form from Year 11 within the school and where there have been very significant or ongoing concerns about behaviour and attendance in recent years, the school may consider transitioning a student to an appropriate formal stage set out within this policy at the start of Year 12.

For colleges within the Trust, it is permissible to take behaviour, commitment and attendance into consideration when determining whether to provide a student with a conditional offer of a place, following interview.

In all settings, students are monitored carefully throughout their time, including during the initial probationary period.

4.3 Cases of Serious or Gross Misconduct, Suspensions and Permanent Exclusions

- 4.3.1 In cases of serious or gross misconduct, a formal behaviour and attendance action will immediately progress to either Stage 4, 5 or to permanent exclusion.
- 4.3.2 In very serious cases of gross misconduct, the Headteacher/Principal will determine whether a student should be permanently excluded. For school sixth forms, please refer to the NCLT Suspensions and Permanent Exclusions Policy.
- 4.3.3 A student may be issued with a Stage 4 or 5 formal behaviour and attendance action at any point if gross misconduct takes place but the Headteacher/Principal decides that a sanction should fall short of permanent exclusion. The Headteacher/Principal will determine which is most appropriate, depending on the seriousness, nature and context of the gross misconduct. The school/college may also take into account any previous formal behaviour and attendance actions that have been taken in determining which of the stages is most appropriate.
- 4.3.4 In school sixth forms, where a suspension is given, this will be determined by the Headteacher and will be in accordance with the arrangements set out in the NCLT Suspensions and Permanent Exclusions Policy. This policy does not apply to colleges within the Trust.
- 4.3.5 In colleges, where a suspension is given as a sanction in cases of serious misconduct, alongside the formal disciplinary action, this would usually be between 1 and 5 days. For serious cases of gross misconduct, a suspension may be given where it is deemed more appropriate than a permanent exclusion. A suspension may in some circumstances be given as a sanction prior to a formal behaviour and attendance meeting. A formal behaviour and attendance meeting will usually take place at the end of the suspension, with the student and parents/carers asked to attend, before a student is able to return to education. Suspensions are rare in Post-16 study and it is not necessary for a suspension to have taken place in order that a student's misconduct results in an escalation of the formal stage in place.

- 4.3.6 A suspension of up to 5 days may also be given in some circumstances where a student progresses from a Stage 3 formal behaviour and attendance action to a Stage 4, or from a Stage 4 to a Stage 5.

In some circumstances, it may be necessary to establish further information or to carry out additional investigation in relation to an incident or misconduct. Where possible, this should be carried out before a suspension or exclusion is given. A suspension may be given based on reasonable belief informed by evidence and information already available, even if further investigation is considered necessary. A suspension that has been given cannot be 'converted' to a permanent exclusion, nor can it be extended. However, in exceptional cases, usually where further evidence has come to light, a further suspension may be issued to begin immediately after the first suspension.

- 4.3.7 Parents/carers will be notified at the earliest reasonable opportunity if there is suspected or established gross misconduct, or if a student is issued with a suspension or permanent exclusion.

In some instances of gross misconduct, the school/college may need to report matters to the police or other authorities.

The Board of Directors, Chief Executive, Headteachers/Principals and staff will ensure there is no differential application of the policy on any grounds, particularly protected characteristics under the Equality Act 2010. They will also ensure that the concerns of the students are listened to and appropriately addressed.

4.4 Confirmation of Permanent Exclusion in Colleges

If a student is permanently excluded, parents/carers will be informed by letter and email within 24 hours. Letters will be sent by first class post and signed by the Principal. This letter will indicate details about the student's right to appeal. In addition to the letter, colleges will contact parents/carers by telephone wherever possible, and in some cases it may be appropriate to arrange an additional meeting with parents/carers.

The student will be offered the opportunity to meet one of the college's careers team to discuss their options after New College.

4.5 Progression from Year 12 to 13

In most cases, the monitoring period for students on a behaviour and attendance stage will have concluded before the end of Year 12. If a student finishes Year 12 whilst being monitored on a behaviour and attendance stage, they will continue being monitored on this stage when they start Year 13.

- 4.5.1 Students' programmes of study will be reviewed at the end of Y12 based on:

- Performance in the Y12 Progression exams.
- In year assessments.
- Any internally assessed coursework units for Applied General Qualifications.
- Attendance and Punctuality.

- Conduct and attitude to learning including engagement in school/college activities.

- 4.5.2 Please note, the viability of continuing an Applied General Qualifications in Y13 may be dependent upon external unit results that are not available until the August after the summer term. In any cases where a student does not pass an external unit exam and there is not a resit opportunity, the student will not be able to continue that qualification into Y13.
- 4.5.3 Where there are serious concerns about a student's Y12 summer results in Applied General Qualifications, or about the viability of continuing with the current programme, this will be addressed at the start of Y13, or in some cases before the start of teaching.

4.6 Probationary Period

- 4.6.1 A student's first six weeks as a student within sixth form/college are treated as a probationary period, often referred to as the 'Green Light Period'. During this period staff will be closely monitoring each student's transition to Post-16 study, considering their behaviour, attendance, commitment, quality of work and the suitability of the qualifications they have chosen. Steps will be taken to identify students who may need some additional support, where course choices might need to be reconsidered, where there is a need to clarify expectations and establish appropriate behaviours for learning, or where the sixth form/college might not be a suitable placement for the student.
- 4.6.2 Where there are more significant concerns about a student's transition to Post-16 study or about whether the sixth form/college is a suitable placement for the student, senior leaders should ensure that this is discussed with the student and with parents/carers, where possible and appropriate, at the earliest opportunity.
- 4.6.3 If a student withdraws from the sixth form/college, this processing of this withdrawal will be confirmed in writing to the student, and a copy of the letter sent to parents/carers. This will be in addition to either a formal meeting or telephone call depending on individual circumstances.
- 4.7 Where a student withdraws, the sixth form/college will offer opportunities for the student to receive careers advice from a member of the careers team to discuss their options.

4.8 Appropriate Use of Social Media

Please refer to the NCLT Social Media Policy located on the school/college website which clearly outlines expectations in terms of appropriate social media use.

4.9 Screening, Searching and Confiscation

Please refer to the DfE guidance 'Screening, Searching and Confiscation'.

<https://www.gov.uk/government/publications/searching-screening-and-confiscation>

In addition to the practice identified in the DfE guidance, the Trust can also ban the following items and as a result are able to search students for them:

Any item brought into the school/college with the intention of the item being sold or passed on to other students, which in the Headteacher/Principal's opinion will cause disruption to the school/college or be detrimental to the school/college's practice.

Confiscation

- 4.9.1 Staff can seize any prohibited item as a result of a search. They can also seize any item found, which they consider harmful or detrimental to the wellbeing of the school/college's students or staff. Staff should hand the confiscated item to a member of the Senior Leadership Team as soon as possible and make sure all necessary information is passed on including, student name and date/time it was confiscated. Staff must not give the confiscated item to another student to hand it in and must not leave the item in an unsecure area at any time.

The school/college will use professional judgement to decide whether to return prohibited items to the owner or to retain or dispose of it.

- 4.9.2 Any item which staff consider to be dangerous or criminal (e.g. drugs) must be brought to a member of the Senior Leadership Team immediately. The Headteacher/Principal will use their discretion to confiscate, retain and/or destroy any item found as a result. Where alcohol has been confiscated the school/college will retain or dispose of it. This means that the school/college can dispose of alcohol as they think appropriate (or return it to a parent/carer, but this should not include returning it to the student).
- 4.9.3 Where the school/college finds controlled drugs these must be delivered to the police as soon as possible or disposed of under the guidance of the police. Where the school/college finds other substances which are not believed to be controlled drugs these can be confiscated, where a member of staff believes them to be harmful or detrimental to good order and discipline. This would include for example so called 'legal highs'. Where staff suspect a substance may be controlled they should treat them as controlled drugs as outlined above.
- 4.9.4 Where they find stolen items, these must be delivered to the police as soon as reasonably practicable – but may be returned by the owner (if the Headteacher/Principal thinks there is good reason to do so. They may be retained or disposed of if returning them to their owner is not practicable.
- 4.9.5 Fireworks found as a result of a search may be retained or disposed of but should not be returned to the student.
- 4.9.6 If a member of staff finds a pornographic image, they may dispose of the image unless its possession constitutes, or may constitute, a specified offence (i.e. it is extreme child pornography) in which case it must be delivered to the police as soon as reasonably practicable. Urgent advice should be sought from senior leaders / DLS or the Police, depending on the circumstances, in relation to whether to delete the content, or how and who should retain any material which might need to be referred to the Police or for the purpose of any Trust investigations.
- 4.9.7 Where an article that has been (or could be) used to commit an offence or to cause personal injury or damage to property is found, urgent advice should be sought from

senior leaders, or the Police, depending on the circumstances, in relation to whether to return the item to the owner, to dispose of the item, or to retain the item for the Police or for the purpose of any Trust investigations.

- 4.9.8 Any weapons or items which are evidence of a serious offence must be passed to the police as soon as possible. Urgent advice should be sought from senior leaders and the police regarding the retention of the item for the Police, or for the purpose of any Trust investigations.

4.10 Use of Restraint

- 4.10.1 Any use of restraint by staff must be reasonable, proportionate and lawful. Restraint will be used only when immediately necessary and for the minimum time necessary to prevent a student from doing or continuing to do any of the following:
- Committing a criminal offence.
 - Injuring themselves or others.
 - Causing damage to property, including their own.

Where restraint is used by staff, this should be recorded in writing.

4.11 Discipline beyond the School/College Gate

- 4.11.1 Parents/carers are encouraged to report criminal behaviour, anti-social behaviour and serious bullying incidents that occur anywhere off the school/college premises which pose a threat to a member of the public or a student, to the police as soon as possible.
- 4.11.2 If a member of the public, staff, parent/carer or student reports criminal behaviour, anti-social behaviour or a serious bullying incident to a member of staff this must be passed onto a member of the Senior Leadership Team. If the senior leader considers that the misconduct may link to a possible safeguarding concern, procedures for reporting concerns to the DSL and the Child Protection Policy must be followed.
- 4.11.3 For health and safety reasons, very high standards of behaviour are expected on residential or day trips. The school/college will use the same intervention system that is applied to incidents of misbehaviour that occur on the school/college grounds.
- 4.11.4 Where unacceptable behaviour occurs off site, including travelling to and from school/college, the school/college reserves the right to use take any of the actions set out within this policy, including recorded warnings, formal stages, suspensions or permanent exclusions.

4.12 Involvement of Outside Agencies

- 4.12.1 Schools and colleges work positively with external agencies (e.g. early help hubs, children's social care, health services, police, YOT). They seek appropriate support from them to ensure the needs of all students are met by utilising the range of external support available.

4.13 Permanent Exclusions in Colleges - Appeals

- A student who is permanently excluded, or the parent/carer of the student, can appeal in writing to the Chair of the Board of Directors via the Trust Governance Professional.
- In any correspondence the student or parent/carer must make it clear that they are 'requesting an appeal to the decision to permanently exclude' using the Trust Appeals form on the College website. Please also see appendix A.
- Any request to appeal the decision must be received within 5 working days of receipt of the permanent exclusion letter. The letter is considered to have been received on the date that the letter is emailed to the student and parent. A copy of the letter will also be sent in the post. Where it is possible to do so, the student and parent should be notified that this letter has been sent by email and post via either a telephone call or SMS.
- An appeals meeting will be arranged within 10 working days of the appeal being received and the student and parents/carers will be notified of the date of the appeals meeting in writing.
- The Chair of the Board of Directors will arrange for at least 2 Trust Directors or local College Advisory Group members to attend the Appeal meeting.
- The student is entitled to be accompanied by a friend or relative at the meeting.

4.13.1 Before the Appeal

- A pack of information will be sent to the Directors/Advisors to examine before the meeting.
- The pack will include the following:
 - Name of the student.
 - Date of birth.
 - Previous school.
 - Current markbook grades summary.
 - Current attendance.
 - All cedar logs in chronological order (Acronyms explained).
 - A short summary of the student's behaviour/attendance whilst attending College.
 - Exact and precise reasons for the permanent exclusion.
- The Directors/Advisors will meet 30 minutes prior to the meeting to ensure the appointment of a Chair and to confirm any questions to be asked.
- The student, parents/carers will have access to the relevant information by logging onto Cedar.

4.13.2 At the Appeal Meeting

- The Trust Governance Professional, or an appointed minute taker, will be present to record minutes.
- The meeting will last approximately 30 minutes.
- The student or parent/carer/friend/relative will be given the opportunity to explain their reasons for the appeal plus any statement they wish to make.
- The meeting will proceed even if the student or parent/carer/friend/relative do not attend.
- Directors/Advisors may decide to ask questions after the student or parent/carer/friend/relative has finished their opening remarks.
- At this point the Appeals meeting will be concluded.
- A second meeting will then take place immediately afterwards in which Senior Management will present their case for the College to the Directors/Advisors.

- The panel will then examine the validity and robustness of the evidence of the decision in light of evidence produced.
- The decision whether to uphold or overturn the decision will be confirmed in writing within 5 working days.
- It is important to note that the decision made by the Directors/Advisors is final.

When a student has been permanently excluded they may not attend sixth form/college whilst the appeal is being considered and an outcome has been determined.

4.14 Students with Additional Support Needs

At every stage of the disciplinary process, all staff must be conscious of the needs of students who may have additional support needs. Staff must consider the individual needs of students, seeking advice where necessary from the study support team within College in order to ensure that the student is treated fairly and equally.

Section B – Attendance

5.0 Attendance Overview

- 5.1 Principals and Headteachers are responsible for determining which members of staff should carry out day 1 contact with students or parents in the event of absence that has not been reported to the school. Students are expected to attend all timetabled lessons, this includes all subject lessons, timetabled tutorial sessions and 1:1 interviews, or other additional support lessons, study support sessions and any chosen enrichment activities.
- 5.2 Each student has unique circumstances that may have an impact upon their attendance, and action to support students in improving their attendance must be taken with any individual circumstances being taken into account.

5.3 Absence Procedures

5.3.1 Absence Reporting

If a student is unable to come into school/college then contact should be made with the school/college as soon as possible, and before the start of the school/college day, to notify of the absence and to provide an explanation for the absence. The systems available for communicating with the school or college may vary and schools and colleges will notify students and parents of the relevant procedures. Headteachers / Principals are responsible for determining who is expected to contact the school / college to notify of absences and it might be that parents/carers are required to make this contact. Students or parents/carers may be asked to provide supporting evidence for the absence.

Headteachers / Principals are responsible for determining systems for addressing day 1 absences that have not been reported to the school / college.

5.3.2 Holidays during Term Time

Holidays during term time are not permitted and are considered to be misconduct. Overseas travel and family visits during term time are also not permitted and are considered to be misconduct. Such absences will be marked with an appropriate unauthorised, but explained, absence code.

Depending on the length, frequency and circumstances of such an absence, the Trust may take formal action via one of the stages set out in this policy. In the case of a long or repeated absence due to a holiday in term time, overseas travel or family visits, this is likely to be considered gross misconduct and may result in permanent exclusion.

A student that does not attend enrolment or who is absent at the start of Year 12 or Year 13 because of a holiday, overseas trip or family visit should not expect that a place in the college/sixth form will automatically remain available to them.

5.3.3 Illness

If a student becomes ill whilst at school/college and needs to go home early they must sign out using the school/college's formal signing out procedure. Schools or colleges might also require students to speak with specific members of staff prior to signing out, such as a Progress Tutor or a member of the sixth form leadership team. These arrangements may vary between schools and colleges and will be determined by the Principal/Headteacher and will be communicated with students.

If a student is ill and cannot come into school/college contact must be made with the school/college before the start of the school/college day. The Headteacher / Principal is responsible for determining who is required to contact the school and in some cases may require parents to make this contact. We ask the person contacting the school/college to indicate the student's name, student number (in the case of colleges), the reason (illness) and how long the student is likely to be absent from school/college. In some cases, additional information may be requested to verify that the caller is the student's next of kin. If the student is unable to return on the date specified then another contact should be made by the student/parent/carer to advise of continued illness.

Progress Tutors/Form Tutors review attendance data regularly and will decide whether to discuss any absences due to illness with the student.

If a student cannot attend an exam due to illness they must contact the school/college before the exam is due to start. Evidence of illness or an urgent medical appointment will be required if a student is absent for these reasons and intends to apply to an examination board for Special Consideration. Further information relating to exams can be found in the exams policy.

5.3.4 Support to Study Policy

The Trust recognises that there may be times during their programme of study when a student may not be able to participate fully and satisfactorily in their academic studies as a result of a new or recurring disability, illness or mental health condition, or wellbeing. This might materialise through significant absence, limited engagement in learning, poor behaviour, or in other ways.

The primary aim of the 'Support to Study' procedure is, wherever possible, to support students to successfully complete their studies, positively overcoming any challenges relating to health and wellbeing. The 'Support to Study' procedure aims to ensure that the health, wellbeing and educational considerations of a student are all properly taken into consideration. This Support to Study policy can be accessed via school and college websites.

5.4 Work Experience, College Related Trips and Visits

If a student is going to be absent from lessons because they have an activity planned in a different subject, it is expected that they will get permission from the teacher whose classes will be missed. The attendance record of the student will be updated by an appropriate member of staff to show the student has missed classes due to a school/college related activity. It is the responsibility of the organiser of any approved events, activities or trips to pass details of students who will be partaking in activities and miss timetabled lessons to the relevant members of support staff so that registers can be amended.

Absence due to work experience that has been formally approved by the school/college will be recorded with an appropriate registration code and will not count against a student's overall attendance level. Absence due to work experience that has not been formally approved, or where procedures have not been correctly followed, will be recorded as an unauthorised absence.

5.5 Punctuality

Student lateness is challenged and addressed by the classroom teacher. Students who arrive late to any lesson will be recorded by their subject teacher as **late** on their lesson register. Where punctuality becomes a concern, teachers will use the formal behaviour and attendance system, such as recorded warnings and formal stages. In addition, Progress Tutors/Form Tutors will oversee any wider patterns of punctuality concerns and may also use the formal intervention and attendance system to address them.

5.6 Rewards

Wherever possible students are given praise and encouragement in order to promote a positive ethos throughout the school/college. For example, through the use of commendations via Cedar/Bromcom, and other approaches. Schools and colleges will develop a range of strategies to reward and recognise student commitment, attendance, behaviour and contribution.

5.7 Financial Support at NCLT

16-19 Bursary Fund

The Bursary Fund provides financial support to eligible students. Eligibility is means-tested and students may be eligible if their household assessed income is below an annual threshold which will be published each year.

Students can apply via an online portal and information about how to do this is shared with applicants prior to enrolment, and again with students when they have enrolled.

Any false information or claims made in order to receive financial support will be treated as fraud. If after an investigation, any attempt to make a fraudulent claim is found to be proven, any entitlement will be withdrawn and students may also face action through the Trust's behaviour and attendance procedures.

Appendix A

Trust Appeals Form (Colleges)

Please complete the following:

Name of student	
Date of Permanent Exclusion	

Please state the reasons below why you are requesting an appeal to the decision to permanently exclude:

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Student signature		Date:	
Or Parent/carers signature		Date:	

Please email this form to the Clerk of the Trust.