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# POST-16 BEHAVIOUR AND ATTENDANCE POLICY

## POLICY

Staff have statutory authority to discipline students whose behaviour is unacceptable, who break school rules or who fail to follow a reasonable instruction (section 91 of the Education and Inspections Act 2006). Staff also have such authority with incidents outside college (Section 89(5) Education & Inspections Act 2006). These powers apply to all paid staff with the responsibility for students.

The Post-16 behaviour policy aims to promote outstanding relationships which will enhance good behaviour, self discipline and respect; as well as minimising bullying and developing the skills and abilities required to make the next steps in education, training or employment. We wish to enable every student complete work to the very best of their ability such that they are able to achieve their 'Personal Best', in a positive environment that supports students through their journey into adulthood.

## ASSUMPTIONS

It is assumed that when a young person chooses to enrol at Shelley College Sixth Form, they are doing so in order to pursue meaningful qualifications through exemplary levels of behaviour and attendance. As such, we aim for all our students to achieve 100% attendance, and will challenge those who fall below our minimum target of 97%; attendance is of vital importance and it is clearly stated in various research that poor attendance has a detrimental impact on outcomes. Both behaviour and attendance are regular reviewed by teaching staff, form tutors, curriculum leaders and heads of faculty in liaison with the Sixth Form Office. All incidents of absence, missed deadlines and failure to meet the expectations of Sixth Form study will be pursued by the Sixth Form Office, teaching staff and Senior Leadership where appropriate.

## PROCEDURES AND PROCESSES

When students achieve above our expectations they are visibly recognised and rewarded through various forms. These include; weekly celebrations with form tutors and the Sixth Form Office, termly reward assemblies, contact home and for outstanding performance we have the Principal's award. Further to this, we aim to recognise the achievements we are aware of in our weekly parental bulletin and to ensure that our students know that we are proud of their efforts.

Upon joining Shelley Sixth Form, students are expected to sign, along with their parents and form tutor, the 'Post-16 Learning Agreement', which outlines the expectations of students at Shelley Sixth Form relating to their Conduct, Study and Attendance; enrolling at Shelley Sixth Form is a sign that students accept the expectations laid out in the 'Post-16 Learning Agreement' even if it is not signed.

The process for failure to meet the expectations of the 'Post-16 Learning Agreement' is undertaken in a multi-stage process in order to enable students to get back on track and be successful if they have had minor issues, but also to ensure that for those who exhibit prolonged or repeated disregard to these expectations, that there is a clear process of sanctions.

### **Stage 1**

Where concerns are raised by any staff member, initial discussions will be held with the student by the class teacher regarding commitment to the course, this will be recorded on Classcharts and a text will be sent to inform parents/carers. The Sixth Form office will also liaise with the student the following day to ensure this issue has been resolved with the teacher. This will also be discussed with the Sixth Form Tutor at the next mentoring meeting.

An initial absence from college will be discussed with the Sixth Form Tutor during the next mentoring or tutor period. If there are no other absences following the first one then no further action will be required.

### **Stage 2**

Where a student has triggered 5 negative points by continually exhibiting poor attendance, failure to complete work and a poor approach to Sixth Form study having been under Stage 1 scrutiny, the following process will take place:

A meeting between the student and the tutor or the subject teacher followed by contact home where issues have continued. Relevant intervention will be put into place in the form of additional study periods, lunchtime intervention and additional sign in with the tutor to ensure work is being completed.

It will be made clear to students that the expectations of Sixth Form study are not being met. These interactions will be recorded on Classcharts and/or the student's paper file, or by email correspondence. If from this point there are no continued concerns for the following two academic weeks, this scrutiny will return to Stage 1 scrutiny. If this is not the case, students will move on to Stage 3 scrutiny.

Continued absence from college and an attendance below 95% will trigger a meeting with the Sixth Form Tutor to discuss the impact of this on their studies.

### **Stage 3**

Where a student has triggered 10 negative points by continually exhibiting poor attendance, failure to complete work and a poor approach to Sixth Form study, the following process will take place:

A meeting between the student and the Sixth Form Student Manager, followed by contact home. Intervention will be put in place in the form of a morning sign in at 8.30am to help plan the students day, additional study periods and Tues/Thurs after school sessions where students are supervised working.

It will be made clear to students that the expectations of Sixth Form study are not being met. These interactions will be recorded on Classcharts and/or the student's paper file, or by email correspondence. If from this point there are no continued concerns for the following four academic weeks, this scrutiny will return to Stage 2 scrutiny. If this is not the case, students will move on to Stage 4 scrutiny.

Continued absence from college and an attendance below 90% will trigger a meeting with the Sixth Form office to discuss the impact of this on their studies. All further appointments will be expected to be taken outside college time and illnesses will need to be supported with a medical note from a GP. Contact home will be made to express concern and seek support in getting the student to college.

### **Stage 4**

Where a student has missed a key coursework deadline relating to completion of a course, engaged in any activity deemed as serious misconduct, or not engaged with Stage 3 scrutiny and made the expected progress toward adhering to the expectations of Sixth Form study in line with the 'Post-16 Learning Agreement', the following process will take place;

- Parents/carers will be invited to attend a meeting with the Assistant Principal
- The student will be placed on a contract with the Assistant Principal
- Clear expectations will be put in place with clear sanctions for failing to meet these
- The student will be expected to sign in with the Assistant Principal at allocated times each day

It will be made clear to students that the expectations of Sixth Form study are not being met. These interactions will be recorded on Classcharts and/or the students paper file. If from this point there are no continued concerns for the following four academic weeks, this scrutiny will return to Stage 3 scrutiny. If this is not the case, students will move on to Stage 5 scrutiny.

Continued absence from college and an attendance below 85% will trigger a meeting with the Sixth Form office to discuss the impact of this on their studies and the student will be placed on an attendance contract. All further appointments will be expected to be taken outside college time and illnesses will need to be supported with a medical note from a GP. Contact home will be made to express concern and seek support in getting the student to college. A referral to the Attendance and Pupil Support Officer may also be made.

### **Stage 5**

Where a student is involved in any activity deemed as serious misconduct, or has not engaged with Stage 4 scrutiny and made the expected progress toward adhering to the expectations of Sixth Form study in line with the 'Post-16 Learning Agreement', the following process will take place;

- Parents/carers will be invited to a meeting with the student and the Principal
- The student will be placed on a contract with the Principal
- Clear expectations will be put in place with clear sanctions for failing to meet these
- The student will be expected to sign in with the Principal at allocated times each day

It will be made clear to students that the expectations of Sixth Form study are not being met. These interactions will be recorded on Classcharts and/or the students paper file. If from this point there are no continued concerns for the following four academic weeks, this scrutiny will return to Stage 4 scrutiny. If this is not the case, the student's continued place at Shelley College Sixth Form will be reviewed; at this stage, the students place at the college may be permanently withdrawn.

### **Issues of serious breaches of College expectations and misconduct**

If deemed a serious incident of misconduct or continuous breaches of College expectations, students may be moved directly to Stage 4 or Stage 5 scrutiny. In such circumstances students may be given a fixed-term exclusion in the first instance. Where this is the case, parents/carers will be contacted by the Sixth Form Office team the same day. If parents/carers do not answer calls, an email or voicemail will be left instead. A letter will also be sent in addition to the above contact, outlining the reasons for these steps being taken and next steps in the process. The College will do all it can to ensure fixed term exclusions are as short as possible, and work will be sent for students to continue with in their absence; in the majority of circumstances fixed term exclusions will not exceed five college days. When the fixed term exclusion ends, the student and a parent/carer will be expected to attend a reintegration meeting and will be placed on Stage 5 scrutiny.

If the incident of serious misconduct, or if further investigation into the misconduct results in findings that the incident is serious enough, the Principal may take the decision to permanently exclude the student at any point. Where this action is taken, a letter outlining the reasons for this decision will be sent, as well as a phone call to parents being made to confirm the exclusion. Instances of serious misconduct that may result in permanent exclusion include;

- In response to a serious breach or persistent breaches of the school's behaviour policy: e.g. carrying illegal weapons on site; possession and/or distribution of illegal substances; physical violence towards a student, staff member or visitor to the College; an incident deemed a safeguarding risk to other students or staff
- Where allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others in the school.

In instances of permanent exclusion, the student in question has a right to appeal. This right to appeal will be outlined in the exclusion letter sent by the Principal; appeals are usually expected to be returned within 10 days of the date of the exclusion letter. The appeal will be heard by a panel of three governors along with representations by the Student Manager and Principal. Once the panel has heard the representation of both parties, they will decide whether to uphold or overturn the Principal's decision, or advise the Principal toward a different course of action.

## ATTENDANCE

Strong attendance has direct correlation with students making expected levels of progress in their academic studies. As such, Shelley College has high expectations regarding student attendance and punctuality.

Attendance and punctuality are monitored on a daily basis. The college expects all students to aim for 100% attendance and punctuality, and has a benchmark of 97%. Where a student is absent due to illness or short-notice exceptional circumstances, they are expected to inform the attendance Office by 8.00am that day (if the absence extends to more than one day, students should inform the Sixth Form Office each morning); if a student knows of a future need for authorised absence, such as a medical appointment, they are expected to complete a blue 'Absence Request' form, available from either the Sixth Form Office or their Form Tutor. If a blue form is not completed ahead of an absence, upon returning to College, students are expected to complete a pink 'Return to College' form. We would request that wherever possible, doctor's notes or medical appointment cards are brought in as proof of absence.

Attendance letters are sent to all parents/carers of students not achieving the 97% benchmark on a half-termly basis. If attendance drops further following receipt of a letter the previous half-term, students will be placed directly onto Stage 4 scrutiny, outlined in the Process section above. If students have persistent instances of short-term absence due to illness, the Sixth Form Office may request medical notes in order to authorise absence.

Where continued issues with punctuality and/or attendance arise and there is no clear medical or other extenuating reason for this, students may be placed on Stage 5 scrutiny or permanently excluded from the College due to persistent breaches of the 'Post-16 Learning Agreement'. In such instances, the Process described above in 'Issues of serious breaches of College expectations and misconduct' would be followed.

## HOMEWORK POLICY

Students are expected to adhere to all homework and coursework deadlines to ensure it does not impact on the teachers plan for this lesson and the student's ability to partake in the lesson. If a student does not meet a homework deadline the following policy will be implemented:

### Stage 1

First occasion of missed homework will be logged on CLASSCHARTS by the teacher so a text is sent home via the sixth form office (lack of equipment and folders can also be logged).

### Stage 2

If the agreed date for the homework to be handed in is not met the student may be sent away from the lesson and marked as absent, incident to be logged on CLASSCHARTS again and another text to be sent home via the sixth form office.

### Stage 3

If the student has still not handed the homework in the next lesson then a department phone call home is to be made to the students' parents/carers.

#### Stage 4

If the work still has not been handed in then the sixth form office will contact the students' parents/carers and invite them in to college.

Any recurring incidents of missed homework to be flagged with the sixth form office who will contact the students' parents/carers and invite them in to college.

## POWER TO SEARCH AND CONFISCATION

### **Schools' obligations under the European Convention on Human Rights (ECHR)**

- Under article 8 of the European Convention on Human Rights students have a right to respect for their private life. In the context of these particular powers, this means that students have the right to expect a reasonable level of personal privacy.
- The right under Article 8 is not absolute, it can be interfered with but any interference with this right by a school (or any public body) must be justified and proportionate.
- The powers to search in the Education Act 1996 are compatible with Article 8.

A school exercising those powers lawfully should have no difficulty in demonstrating that it has also acted in accordance with Article 8. This advice will assist schools in deciding how to exercise the searching powers in a lawful way. The Department for Education searching, screening and confiscation advice (February 2014) makes it clear that the Principal and staff authorised by them have a statutory power to search students or their possessions, without consent, where they have reasonable grounds for suspecting that the student may have a prohibited item or an item that has been banned from school. Prohibited items are; knives or weapons, alcohol, illegal drugs, stolen items, tobacco and cigarette papers, smoking paraphernalia, fireworks, pornographic images, any article that the member of staff reasonably suspects has been, or is likely to be, used to commit an offence, or to cause personal injury to, or damage to the property of, any person (including the student, other students, a staff member or visitor to the College).

### **Searching with consent**

Schools have common law powers to search, so Shelley College staff can search students with their consent for any item. If a member of staff suspects a student has a banned item in his/her possession, they can ask the student to turn out his or her pockets or bag. If the student refuses, the teacher will contact the Director of Sixth Form or Sixth Form Assistant Student Manager, who will then contact parents and any other necessary agency based on the severity of item which is believed to be in the student's possession.

### **Procedure for conducting a search with or without consent**

1. You must have reasonable grounds for suspecting that a student is in possession of an item that may affect the learning or safety of the student or others for a search with consent, or a prohibited or school banned item for a search without consent.
2. You must be an authorised member of staff (this is all members of staff, however SLT and the Pastoral team would typically deal with the banned items).
3. You must be the same gender as the student being searched (unless in exceptional circumstances)
4. You must have a witness (also a member of staff) and, if at all possible, they should be the same gender as the student.
5. Searches without consent can only be carried out on the school premises or, if elsewhere, where the member of staff has lawful control or charge of the student, for example on school trips.
6. A member of staff can search; clothes, possessions, desks and lockers. The person conducting the search may not request the student to remove any clothing other than outer clothing.

‘Outer clothing’ means clothing that is not worn next to the skin or immediately over a garment that is being worn as underwear. ‘Outer clothing’ includes hats; shoes; boots; gloves, coats, items worn over another layer of clothing which is not underwear, and scarves.

‘Possessions’ means any goods over which the student has or appears to have control – this includes desks, lockers and bags. A student’s possessions can only be searched in the presence of the student and another member of staff, except where there is a risk that serious harm will be caused to a person if the search is not conducted immediately and where it is not reasonably practicable to summon another member of staff. **Also note**

The power to search without consent enables a personal search, involving removal of outer clothing and searching of pockets; but not an intimate search going further than that, which only a person with more extensive powers (e.g. a police officer) can do.

### **Lockers**

Shelley College provides lockers for students and as a condition of having a locker students are made aware that they have provided consent to have their locker searched for any item whether or not they are present.

1. If a student does not consent to a search (or withdraws consent having signed a consent form) then it is possible to conduct a search without consent but only for “prohibited items” or school banned items

### **Confiscation**

Schools’ general power to discipline is set out in Section 91 of the Education and Inspections Act 2006. This enables a member of staff to confiscate, retain or dispose of a student’s property as a negative consequence, where reasonable to do so. A person carrying out a search can seize anything they have reasonable grounds for suspecting is a prohibited item or is evidence in relation to an offence.

- Where a person conducting a search finds fireworks, alcohol, cigarettes, tobacco, cigarette papers/paraphernalia and other substances (e.g. legal highs) they should dispose of it in the presence of a witness (a member of staff)
- Where they find controlled drugs, stolen items or weapons these must be reported and guidance taken with regards to the next steps from the police. This will ensure stolen items can be returned to their owner.
- Where they find 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.
- If a member of staff finds a pornographic image, they may dispose of the image unless its possession constitutes a specified offence (i.e. it is extreme or child pornography) in which case it must be reported to the police as soon as reasonably practicable. Images found on a mobile phone or other electronic device can be deleted unless it is necessary to pass them to the police.
- 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 it may be delivered to the police or returned to the owner. It may also be retained or disposed of.
- Where a member of staff finds an item which is banned under the school rules they should contact the student’s parent/ carer(s) to discuss the matter and / or arrange a further meeting.

### **Informing parents of searches and confiscations**

Schools are not required to inform parents before a search takes place or to seek their consent to search their child. There is also no legal requirement to make or keep a record of a search. The Department for Education advice suggests schools should inform the individual student’s parents or guardians where alcohol, illegal drugs or potentially harmful substances are found, though there is no legal requirement to do so. At Shelley College we will try to ensure parent/carer(s) are kept fully informed of any confiscations as far as is reasonably practicable. When a search and or confiscation has taken place it is school policy to record this information either recording in the student file or by logging the information on SIMS/CLASSCHARTS (the school information management system).

## **Use of reasonable force**

School staff have a power to use force and lawful use of the power will provide a defence to any related criminal prosecution or other legal action. What is reasonable force?

1. The term 'reasonable force' covers the broad range of actions used by most teachers at some point in their career that involve a degree of physical contact with students.
2. Force is usually used either to control or restrain. This can range from guiding a student to safety by the arm through to more extreme circumstances such as breaking up a fight or where a student needs to be restrained to prevent violence or injury.
3. 'Reasonable in the circumstances' means using no more force than is needed.
4. Restraint means to hold back physically or to bring a student under control. It is typically used in more extreme circumstances, for example when two students are fighting and refuse to separate without physical intervention.
5. School staff should always try to avoid acting in a way that might cause injury, but in extreme cases it may not always be possible to avoid injuring the student.

## **Who can use reasonable force?**

- All members of school staff have a legal power to use reasonable force.
- This power applies to any member of staff at the school. It can also apply to people whom the Principal has temporarily put in charge of students such as unpaid volunteers or parents accompanying students on a school organised visit.

## **When can reasonable force be used?**

- Reasonable force can be used to prevent students from hurting themselves or others, from damaging property, or from causing disorder.
- In a school, force is used for two main purposes – to control students or to restrain them.
- The decision on whether or not to physically intervene is down to the professional judgement of the staff member concerned and should always depend on the individual circumstances.

## **Schools can use reasonable force to**

- Remove disruptive children from the classroom where they have refused to follow an instruction to do so;
- prevent a student behaving in a way that disrupts a school event or a school trip or visit;
- prevent a student leaving the classroom where allowing the student to leave would put their safety or the safety of others at risk;
- prevent a student from attacking a member of staff or another student, or to stop a fight in the playground; and • restrain a student at risk of harming themselves through physical outbursts.

## **Schools cannot**

- Use force as a punishment – it is always unlawful to use force as a punishment.

## **Staff training**

At Shelley College all members of teaching staff and some support staff are trained to use de-escalation techniques with students. We also have a specialist team that have attended specialist training on restraint.

## **Procedures for when force has been used**

A member of staff that has used force must inform the Principal or his designate and the Designated Safeguarding Lead before the end of the school day in which the force was used.



At Shelley College if a student needed to be restrained we would contact the parent/carer(s) to explain the circumstances of the restraint and to organise a meeting to discuss how we will ensure the protection of other students, staff and your son/daughter.

#### **Examples of where touching a student might be proper or necessary**

- When comforting a distressed student;
- When a student is being congratulated or praised;
- To demonstrate how to use a musical instrument;
- To demonstrate exercises or techniques during PE lessons or sports coaching; and
- To give first aid.

#### **Equality for all**

We always make reasonable adjustments for disabled children and children with special educational needs (SEND). To support equality, incidents of inappropriate behaviour are regularly monitored with an emphasis on specific cohorts and protected groups of students. If any issues or trends are identified appropriate action is taken.

#### **Concerns or complaints regarding the implementation of this policy**

In the first instance please make contact with your son/daughter's Student Manager to discuss your concerns. If you are not satisfied you are invited to follow the normal school complaints procedure, which can be found on the website.