

# **Sixth Form Misconduct Procedures**

For the attention of: All Staff  
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## Vision, Purpose & Values

### Our Vision

Our students will be recognised locally & nationally for their positive impact on the communities and industries in which they choose to work.

### Our Purpose

To inspire our students to gain the skills, knowledge and behaviours they need to be resilient and thrive in an ever-changing world.

### Our Values

**Excellence:** A culture of creativity, high expectations, ambition and aspiration

**Respect:** Showing fairness, courtesy and mutual respect to each other and our environment

**Integrity:** Honesty, openness and trust at the heart of  
College life

**Diversity:** Celebrating diversity and inclusivity as a key to our success



## STUDENT MANAGEMENT PROCEDURES – MISCONDUCT

The Windsor Forest Colleges Group is committed to providing a peaceful and productive learning environment in which students can give their best, participate fully in all aspects of college life and be successful.

The Student Management Procedures for the Sixth Form (Strode's and Windsor College) are designed to:

1. Focus, wherever possible, on positive interventions that support students to get back on track, enabling them to achieve and to be successful
2. Prepare students for life and work by setting expectations that will help them to be successful in employment, higher education and society
3. Provide a safe and harmonious environment where students are not subject to bullying or other negative behaviours which may impact on their ability to reach their potential
4. Ensure fairness and consistency in the way all students are managed following academic and behavioural concerns
5. Encourage all students to meet the appropriate and reasonable standards of conduct, attendance and work performance required by Strode's and Windsor Colleges as set out in college policies, rules and regulations
6. Ensure transparency and clarity for students about what is expected of them

The colleges are also part of wider local communities and when appropriate we will act as a result of unacceptable behaviour, or behaviour which brings the College into disrepute, in local and surrounding areas.

Academic and behavioural expectations apply whether students are in the College building or grounds, undertaking work placements, on a trip, in the local area during college hours or anywhere else where they are occupying the role of a student of Strode's or Windsor College.

The Student Contract, found in the Student Handbook (<https://sites.google.com/windsor-forest.ac.uk/studentsservicessixthform/homepage>), which all full-time students sign, and the Strode's and Windsor Colleges' Standards for Success, set out clearly the attitudes, values and behaviours that are expected from all staff and students attending, enrolled or working at Strode's and Windsor Colleges.

### **Anti-bullying and harassment**

The College has a zero-tolerance policy towards bullying and harassment, including sexual harassment, and works hard to create a positive and welcoming place for all students to study and flourish. Robust action will be taken in response to instances of bullying or harassment under the Misconduct Procedures below and may lead to permanent exclusion. The College is committed to supporting students to make positive and safe decisions, including around the use of social media, and provides guidance on this. The use of social media which adversely impacts the learning environment will be deemed a serious misconduct and treated accordingly under the Misconduct Procedures.

### **Students in difficulty due to medical conditions**

As part of the student management procedures, and regardless of a student's situation, the College requires each student to meet the expectations set out in the Student Contract and the Standards for Success. If a student's academic progress is hindered (including their ability to attend college regularly) by a serious illness or medical condition he/she/they will be supported as appropriate to ensure success in their studies. The College recognises the challenges of studying with a health condition and will endeavour to find sensitive and appropriate ways to support students, as well as providing clarity around the College's position on the limits of the support that can be offered. The College is, however, unable to provide or support distance learning regardless of an individual student's situation.

### **Preventing violent extremism**

The College has a duty to ensure that nobody in the college community is drawn into violent extremism. This duty includes educating students to understand British Values and the role they play in supporting these. Any student who is thought to be at risk of radicalisation is likely to be supported under our safeguarding procedures, as well as managed under the Misconduct Procedures below, depending on the circumstances.

## Students with complex personal histories or Social, Emotional and Behavioural difficulties (SEB)

The College recognises that some students have diagnosed learning difficulties or SEB difficulties, which may impact on their behaviour. It also recognises that many students come from challenging and diverse backgrounds, which may mean they struggle to reach the required standard of performance and conduct (for example, Children in Care and those new to the UK having travelled from areas where they have experienced significant trauma).

The Student Contract and all other expectations around behaviour still apply to these students, and difficult personal backgrounds do not excuse behaviour that puts the safety or wellbeing of others at risk, or that contradicts the values of the College. However, when a student has declared a need in this area, or the College becomes aware of exceptional circumstances or additional risks, relevant support will be provided to try to prevent them becoming subject to these procedures.

Should a student with a profile of this type be subject to Misconduct Procedures that do not result in exclusion, they will receive further support to meet any targets/conditions set because of any academic or disciplinary hearing, and to prevent reoccurrence of breaches of the Student Contract or College Values.

## The Student Management Procedures

Student Management Procedures for Strode's and Windsor Colleges deal separately with academic and misconduct issues. This ensures that we do not treat academic concerns, e.g. non-submission of work or poor attendance, in the same way, and using the same sanctions, as very poor behaviour, e.g. fighting or otherwise bringing the College into disrepute.

The Student Management Procedures apply to all enrolled students, including 16–18-year-olds, adults and HE students.

Additional arrangements for students such as Children in Care, where we have reporting requirements related to local authorities, are set out at the end of this document.

*Staff must **always** record actions related to the use of formal procedures on the ILP, in the Student Management section. This ensures that all actions are logged and enables communications with parents/carers, and across college. **This is imperative as effective resolutions of serious concerns rely on well-documented evidence and timelines of previous actions.***

## Misconduct Procedures

These procedures apply to all individuals studying at or using the facilities at the College. It covers all aspects of misconduct within the College and related activities, such as trips, placements, and work experience.

Misconduct is defined as abusive, disruptive, or inconsiderate behaviour, while serious misconduct includes intimidating, offensive, reckless, illegal, or dangerous behaviour that brings the College into disrepute. Failure to comply with agreements and targets at each stage of the procedures will result in referral to the next stage. If a behavioural concern becomes very serious or there is an incident of serious misconduct, a student may be immediately escalated to a higher stage.

It is the responsibility of all staff to challenge poor behaviour and create a culture of respect and community. Informal interventions and M1 warnings should be issued when appropriate. In cases involving students with learning difficulties, advice from the Learning Support team may be sought. When incidents occur, the initial person handling the situation will consult with a senior staff member to determine the appropriate stage of the Misconduct Procedures based on factors such as safety, the nature of the behaviour, previous records of misconduct, and the impact on individuals and the College.

All year 1 students will be subject to a probationary period during the first half term. The college reserves the right to withdraw a student's place during this period should there be any significant concerns about conduct.

### Misconduct Stages 1 and 2 (M1 and M2)

*It is suggested that a maximum total of two M1 warnings are issued over the course of an academic year and that a student should be escalated to Stage 2 if concerns persist.*

The process for addressing misconduct at Stages 1 and 2 includes the following steps:

1. **Identification of concern:** Any member of staff can identify and raise concerns about a student's misconduct.
2. **Formal discussion with the student:** The staff member formally discusses the issues with the student and provides a verbal warning, making them aware that they are now within the formal procedures. At this stage, an M1 or M2 warning is issued and recorded.
3. **Setting targets and review dates:** Any member of staff sets targets for the student and determines review dates to monitor their progress.

4. **Completion of M1 or M2 on the Individual Learning Plan (ILP):** The staff member responsible for the warning completes the M1 or M2 on the ILP and informs the student's parent/carer about the warning.

Please note that the responsibility for issuing and monitoring M1 warnings lies with any member of staff who witnesses poor behaviour or misconduct, while M2 warnings are issued by the subject teacher, personal tutor, or manager.

Staff should exercise discretion in determining the appropriate level to address the behaviour of a student within the Misconduct Procedures, even if it is not directly listed.

**Behaviours that may be considered for M1/M2 include but are not limited to:**

- Abusive or offensive language towards others
- Refusal to follow the College ID policy
- Breach of student contract and code of conduct
- Persistent low-level unauthorised absence and poor punctuality
- Plagiarism and cheating including the inappropriate use of AI
- Failure to obey reasonable instructions
- Causing disturbances or being noisy
- Bringing the college into disrepute in the local community
- Inappropriate use of mobile devices
- Persistent disruption of class
- Negative behaviour online
- Spitting and/or littering
- Loitering on college premises
- Consensual but inappropriate physical contact
- Poor driving, parking or inappropriate use of a vehicle within or around the college grounds
- Bringing on and associating with non-students on site
- Failure to adhere to the College's non-smoking or vaping policy

It is important for students to understand that good attendance, attitude to learning, and behaviour record are considered, especially for those on a two-year course or aspiring to progress to a higher-level course.

## Misconduct Stages 3 and 4 (M3 and M4)

Staff responsible for Stages 3 and 4 are Head of Tutoring, Assistant Principals, Group Vice Principal, and the Principal Sixth Form.

The procedure for addressing a serious misconduct at stages 3 and 4 include the following steps:

1. **Identification of concern:** Any reporting member of staff or student can identify the concern to a senior member of staff.
2. **Investigation undertaken:** A detailed investigation is conducted, including gathering witness statements and other relevant evidence. It may be appropriate at this stage to seek advice from external agencies depending on the incident being investigated.
3. **Immediate action taken:** Student invited to make an initial statement, suspended if appropriate, parents/carers contacted, and appropriate paperwork completed.
4. **Disciplinary hearing held:** A panel meeting is set up by a lead member of staff. Students are informed in writing of the meeting and parents/carers are invited to attend. The hearing is conducted by a panel comprising a minimum of two members of senior college staff and should, wherever possible, take place within 10 working days of the alleged serious misconduct. The disciplinary hearing may take place in the absence of the student if they have been informed of the date and time and have not requested rescheduling more than 48 hours before the panel meets.
5. **Decision communicated:** The panel reaches a decision, which may include no further action, the issuing of a serious warning letter or final warning letter, recommendation of exclusion for the remainder of the academic year, or recommendation of permanent exclusion.

If required, a risk assessment will be undertaken prior to a student returning to the College following a serious misconduct.

Any decision will consider whether: a crime has potentially been committed and the police are involved; there are possible legal implications for the student/s involved or for the College; the incident involves violence or the threat of violence; behaviour witnessed during the incident implies that one or more students involved could pose a safety or safeguarding risk to others.

The decision is communicated in writing to the Principal Sixth Form, the student, their parent/carer, and recorded on the ILP.

**Behaviours considered for M3/M4 may include but not limited to:**

- Serious acts of physical or verbal assault against any member of the college community or visitor



- Threatening, harassing or bullying of another student or a member of staff
- Theft
- Plagiarism and cheating including the inappropriate use of AI and exam malpractice
- Causing damage to college or personal property
- Making racist, sexist or other inappropriate remarks or using any type of abusive language contrary to college values to another student, group of students, member of staff or visitor
- Incitement to hatred, wearing of insignia or the distribution of literature, which degrades or belittles someone because of a protected characteristic
- Distribution, possession or downloading of sexually explicit text, images or videos
- Being drunk or under the influence of drugs
- Being in possession of, or selling, illegal drugs/alcohol, associated paraphernalia or stolen property
- Possession/supply/use of unauthorised firearms or weapons, including knives, and replicas
- Making threats or engaging in activities of a sexual or violent nature (including online) including sexting and sextortion
- Bringing the college into disrepute in the local community
- Consensual but inappropriate physical contact
- Forging signatures
- Causing damage to the college or personal property, software or data and/or interfering with health and safety equipment, including committing or attempting to commit arson
- Gambling
- Poor driving, parking or inappropriate use of a vehicle within or around the college grounds
- Bringing on and associating with non-students on site

## Appeal Procedure

Students have the right to appeal against any decisions made by the disciplinary panel. The grounds for the appeal are limited to the severity of the decision because the correct process was not followed by the panel or because new evidence has come to light.

The student has 10 working days in which to appeal against the decision following the date of the letter informing them of the decision. If the student decides not to appeal against the decision within the time limit, it will be implemented without further proceedings.

The appeal should be made in writing and addressed to the Principal Sixth Form. It should give reasons for appeal, including any mitigating circumstances. The student has the right to submit written documentation. In the absence of fresh evidence, the appeal outcome will be determined based on facts presented to the disciplinary panel.

The appeal will be considered by the Principal Sixth Form or, in his/her absence, by a member of the Senior Leadership Team, who will consider the case made by the student and any additional evidence or mitigation provided. If the Principal Sixth Form/member of the Senior Leadership team considers that a meeting is necessary to further discuss the details before making a final decision, the student will be invited to attend a disciplinary appeal hearing.

The outcome of the appeal hearing will be communicated in writing to the student, their parent/carer, and recorded on the ILP.

The decision of the Principal Sixth Form is final.

## **Additional Arrangement for Children in Care, Students Aged 14-16 and other Vulnerable Students**

Many students studying across the Windsor Forest Colleges Group are vulnerable and are therefore supported by key workers, virtual schools, social workers, SEN teams or other local authority departments. The college recognises that some students have diagnosed learning difficulties, mental health conditions or SEB difficulties, which may impact on their behaviour. It also recognises that many students come from challenging and diverse backgrounds, which may mean they struggle to reach the required standard of performance and conduct (for example, Children in Care and those new to the UK having travelled from areas where they have experienced significant trauma).

The Student Contract and all other expectations around behaviour still apply to these students, and difficult personal backgrounds do not excuse behaviour that puts the safety or wellbeing of others at risk, or that contradicts the values of the college. However, where a student has declared a need in this area, relevant support will be provided to try to prevent him/her becoming subject to these Procedures.

### **Notification of Local Authorities**

To ensure holistic support for these students, and to give them the best chance of getting back on track when they become the subject of Student Management Procedures, it is essential that the appropriate external colleagues are notified as soon as possible following a concern or incident.

Should a student with a profile of this type be subject to Misconduct Procedures that do not result in exclusion, they may require further support to meet any targets/conditions set because of any academic or disciplinary hearing, and to prevent recurrence of breaches of the Student Contract or college values. Therefore, it is essential that any academic or behavioural concern relating to the following, should be notified to the Assistant Principal Student Services as soon as possible:

### **Children in Care**

In the case of Children in Care, the college has a statutory duty to inform the relevant Virtual School and to work with the young person's assigned advocate throughout the implementation of Student Management Procedures.

If an academic or misconduct warning is issued to a Child in Care, the Assistant Principal Student Services must be notified immediately. They will ensure the information is passed on securely to the relevant virtual school. They will also put in place extra support if required.

Notification in writing to the Assistant Principal Student Services should be made at the first cause for concern, including during MI/AI interventions and at the informal stage (where parents/carers wouldn't normally be notified).

### **Other Vulnerable Students**

Education, Health and Care Plans

Students in receipt of an EHCP (Education, Health and Care Plan) who become subject to Student Management Procedures should be notified to the Learning Support Manager who has a statutory duty to inform the local authority in certain circumstances (particularly suspension and exclusion).

### **Poor Mental Health**

Students who cite poor mental health as a contributing factor to poor behaviour should be notified to an Assistant Principal. Any student using a health condition as mitigation within the Misconduct Procedures should a) have informed the College previously of the challenges they are facing and b) should provide written confirmation of the impact of their illness from their GP or other appropriate medical professional.

### **Students with Child Protection Concerns**

Some students may be supported by social care because they are identified as Children in Need, may be on the Child Protection Register or may be subject to other support due to risks outside college.

If you are aware that a student about whom you have academic or behavioural concerns has a social worker/key worker or is subject to support from the local authority, the Head of Tutoring should be made aware of the situation as soon as possible and will decide as to whether it is appropriate to notify the local authority.

Link to Physical Intervention Policy:

[https://drive.google.com/drive/folders/1\\_8TuwJF7O\\_7OQcXor4bemh96TLuVksjG](https://drive.google.com/drive/folders/1_8TuwJF7O_7OQcXor4bemh96TLuVksjG)

Link to Student Search and Screening Policy:

[https://drive.google.com/drive/folders/1\\_8TuwJF7O\\_7OQcXor4bemh96TLuVksjG](https://drive.google.com/drive/folders/1_8TuwJF7O_7OQcXor4bemh96TLuVksjG)