

Positive Behaviour Policy 2022-23

***Warmly Welcomed and Wanted;
Every Student, Every Day, by
Everyone.***

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A Brief guide to key points in this policy:

- A withdrawal must not take place without following College policy and procedure.
- In the first 42 days of enrolment, staff are asked to avoid issuing sanctions unless there is clear misconduct, but to focus on coaching conversations which can be recorded in student meetings on ProMonitor.
- Cooling off periods can be allowed after one-off incidents which do not pose an ongoing risk. Cooling off periods should last for 24 hours maximum UNLESS there is a risk of harm to student or others. This should be logged in student comments on ProMonitor.
- Student suspensions can be agreed at Curriculum Area Manager (CAM) level for a maximum of 48 hours UNLESS there is a risk of harm to student or others.
- ALL suspensions/cooling off periods should be logged on ProMonitor under a suspension meeting and the comment should be for the attention of 'Pastoral Support'
- Please note: If suspensions are not correctly reported the student is officially 'missing from education' therefore Curriculum Support Administrators must be informed of any cooling off period/suspension so registers can be marked accordingly.
- Disciplinary up to the point of Inclusion Panel are carried out in the curriculum area.
- Students MUST be present when they are issued with any sanction and they must be aware of the appeals process. Appeals should be submitted via appeals@kirkleescollege.ac.uk. If a student is not present the disciplinary cannot take place.
- Cross college incidents and any sanctions required can be dealt with by the Student Experience team in partnership with the relevant CAM.
- CAMs/HoFs must request an Inclusion Panel when a decision needs to be made about whether the student can continue on their course.
- Inclusion Panel hearings must be held within 10 working days of initial suspension/incident.
- Restorative Interventions must be used and recorded in ProMonitor prior to any disciplinary action wherever possible and realistic.
- Any interventions will be held virtually where face to face meetings are not possible.
- The relevant CAM or Head of Faculty (HOF) (or nominated other) will present the evidence at the Inclusion Panel hearing.
- All Inclusion Panels will include a CAM / HOF or Assistant Principal (AP).
- The student has the right to advocacy and can ask a suitable person to attend to support them; this excludes legal representation. The college reserves the right to assess suitability of chosen advocate.
- Where the policy refers to 'classrooms' or 'college premises', this includes any college related activity including online and virtual
- Where there are concerns about a student's ability to complete their course for health related reasons, they should be referred to a Fitness to Study Panel for assessment.
- Appeals to the outcome of student panel hearings will be assessed by APs.
- Complaints about the process or outcomes of appeals will be assessed by the Vice Principal (VP).
- Agreed exclusions can be until the end of the academic year, for the following academic year, for the following two academic years or permanent.
- Agreement to allow completion of course for excluded students will be made on a case by case basis.
- Parents / carers should be involved wherever possible and kept fully informed unless there are safeguarding concerns.
- Appropriate external agencies must be alerted to any exclusion of 16-19 year old students by the Student Experience Team e.g. C&K Careers, Local Authority.

Policy Statement

Kirklees College recognises that it has a legal and moral duty to provide a safe and secure learning environment for its students, staff and visitors. We all agree that mutual respect and tolerance should be encouraged and supported amongst the whole College community. A College wide commitment to improving behaviour will lead to greater learner engagement, better support for staff and fewer incidents of negative behaviour.

It is vital as a college that we recognise and celebrate the achievements of our students to create an environment which encourages and rewards success.

Our approach is based on strong evidence, showing that encouragement and reinforcement of positive actions is more effective in changing and improving behaviour than focussing primarily on punitive measures.

This Policy aims to enable:

- Embedding a Restorative Practice approach across College (see Restorative Practice Strategy)
- Promotion of positive behaviour
- Appropriate challenging of negative behaviour
- Positive reinforcement and mutual respect
- A consistent approach
- Clarity of roles and responsibilities
- High expectations
- Effective sanctions
- A calm, productive and safe learning environment

Restorative Practice (RP) is not exclusive and can be used as a stand-alone approach or in conjunction with formal disciplinary sanctions.

Scope of Policy

This Policy applies to all members of the College community. It covers all behaviour issues arising within the College and/or whilst engaged in College related learning or activities.

This Policy requires everyone to play a part, leading to:

- Empowerment for staff and improvement to staff wellbeing
- Collaborative working and shared values
- Improved communication and sharing of information
- Consistent practice across faculties
- Reduction in higher level disciplinaries
- Increased retention and student satisfaction

Please note, for cases of academic misconduct, individual examination board regulations can dictate specific actions for that exam board/Higher Education (HE) programmes. In following

this policy and procedure both this document and the relevant examination board / HE regulations should be referred to.

Kirklees College approach to positive behaviour

Underpinning the positive behaviour approach is the simple reality that **we all like to be praised** for what we do well.

Staff who praise students achieve better results from them and from other students who notice and model this good behaviour.

This policy adopts four pillars which are the foundations for creating an environment which is focussed on reward and recognition instead of punitive action.

Restorative approaches are based on four key pillars:

RESPECT: for everyone by listening to other opinions and learning to value them

RESPONSIBILITY: taking responsibility for your own actions

REPAIR: developing the skills within our college community so that its individual members have the necessary skills to identify solutions that repair harm and ensure behaviours are not repeated

RE-INTEGRATION: working through a structured, supportive process that aims to resolve the conflict and allows young people to remain in mainstream education.

Minimum expectations

- Every day is a fresh start
- Greet your students at the door
- Model respectful language always
- Be interested in who your students are
- Engage students in decision making
- Teach and model excellent practice
- Use affective statements and questions
- Reward reward reward
- Never remove a reward given
- Whole group punishments are never fair
- Sanctions should always be proportionate

Classroom Contracts (values)

All teaching staff should agree the standards and values expected/required from students and staff during the year. Once the group has agreed the values, they should be made clearly visible and applied consistently. This applies to classrooms in college and online teaching forums.

Group Value Agreements could include:

- Agreeing a mantra for crisis points e.g. 'I am in control and I will stay calm'
- Using respectful language
- Positive listening
- No interruptions
- Valuing contributions

- Celebrating difference
- Understanding difficulties
- Find something to praise for each member of the group

Key elements of a positive college community environment

Developing and maintaining positive relationships - underpins and is key to the success of the implementation of the positive behaviour policy along with a commitment to EDI, coaching and restorative practice. E.g. meet and greet students whenever you encounter them; a smile and a hello. Students feel welcome and valued.

Role modelling calm adult behaviour -, emotional control, high expectations from all staff. Separates the behaviour from the student. E.g. maintaining a calm response to challenging behaviour; not matching the level of emotion the student may be displaying e.g. anger

Reward and Recognition - rewards, recognition, praise, motivation, engagement. Looks for the positive. “You get more of the behaviour you notice the most.” E.g. a postcard home, who does the student want to make proud?

- Reward and praise regularly
- It’s not what you give but the way that you give it
- Make the system simple to operate
- Make the reward system personal
- Recognition beats material rewards every time
- Students need to know what the rewards are for

During any period of remote learning, staff should pay attention to and offer praise for:

- Work completed at home.
- Additional caring duties students may have.
- Any work in the community the student has taken part in.
- Work completed during attendance at college.

Consistency – Simple rules which are clear and known to everyone (students, guardians, staff). Consistency across college and in own practice. Relentlessly refer to your agreed rules and expectations. Consistently uphold the college values. E.g. Agree class rules and expectations with your students and stick to them, refer back to them with students.

Positive Behaviour in Action

All Positive Behaviour Interventions should be recorded on ProMonitor using the relevant meeting template. A comment on ProMonitor should also be added to ensure all staff are aware of strategies to support and the student’s agreed actions. Please add relevant Student Experience staff into any comments. [The Rewards and Consequences procedure can be found here.](#) Sanctions should be avoided in the first 42 days unless there is clear misconduct, intervention should focus on coaching conversations which can be recorded in student meetings on ProMonitor.

Training on issuing and recording effective disciplinary meetings is available through the Student Experience Team.

In operating this policy, the College recognises:

- The right of the student to advocacy and the benefits of working in partnership with parents, carers, guardians, employers, health and/or social care services and other relevant external agencies.
- The right of appeal against any decision of disciplinary action.
- The care required in carrying out investigations and the importance of establishing the facts relating to any alleged breaches of the code of conduct.
- The strict confidentiality required when dealing with disciplinary issues in line with General Data Protection Regulations (GDPR).
- That not all students have the same access to digital technology and therefore adjustments will need to be made as appropriate.

Inclusion Panel Hearings

Aim:

The disciplinary process is an opportunity to engage the learner and reinforce the positive - even at stage 4. It is important to give the student a chance to reflect on how they can improve and have their voice heard. The Student Experience team will work collaboratively with HOFs and CAMs as part of the decision-making process on whether exclusion is final decision. There is a strategic drive within Kirklees and West Yorkshire to reduce suspensions and exclusions.

Who should be present:

- The Student
- Student advocate, if requested (always offered)
- Parents/carers/guardians (always invited)
- Support agencies, where appropriate (always invited)
- CAM or HOF to present evidence
- Panel chair and members

Who can conduct them?

The Head of Student Support and Development, Pastoral Support Manager, Inclusion Lead or delegated person will chair the formal hearing along with a minimum of one, maximum two other members of staff to include one CAM or HoF from another curriculum area, where appropriate.

What needs to happen:

- Students will receive at least 3 days' notice of the hearing.
- A hearing should take place within 10 College days from the point of request.
- The evidence for exclusion should be presented by the curriculum HoF / CAM or designated investigating officer.
- Before the hearing, any associated statements or information (including CCTV where appropriate) will be provided to the Chair in advance. It is the Chair's decision as to their use in the hearing.

- The panel will have the opportunity to ask questions of staff and student.
- The student, with agreed assistance from their advocate(s), will have the opportunity to present their case against exclusion, including any mitigating circumstances.
- The panel will then withdraw to make its decision. It can recall either side to seek any points of clarification. The panel may choose to discuss resolution directly with the student.
- In making its decision the panel will work to the criterion of reasonable probability rather than the weight of the evidence required in a legal court (beyond all reasonable doubt).
- Possible outcomes may be:
 - student is able to remain in college. Options include remaining on current programme, request to transfer to alternative programme or complete remainder of course via remote learning, where this is possible.
 - Exclusion for remainder of academic year
 - Exclusion for remainder of academic year and following academic year
 - Permanent exclusion
- The student will be notified of the final decision in person at the hearing where possible or by phone call after the hearing. In any case a letter detailing the decision will be sent to the student and parent/carer and any external organisations where appropriate.
- Written confirmation of the outcome will include information on how to appeal.
- The Chair will ensure that there is a record on ProMonitor in the meetings section and a comment to alert relevant staff. This evidence will be kept in the event of an appeal.
- During Covid-19 restrictions (social distancing), and in line with Government advice, interventions and hearings should be completed via an online meeting or over the phone, if appropriate.
- The facilitator/s take(s) responsibility for ensuring that the College's Video Conferencing Protocols are adhered to. Reasonable adjustments should be made so that the appropriate level of support is available to ensure students and parents/carers can access and engage, as fully as possible.
<https://livekirkleescollegeac.sharepoint.com/sites/KCShare/coronaviruscovid-19>
- Appeals will be heard by an Assistant Principal.
- All Inclusion Panel hearings will be minuted and minutes will be made available to all attendees on request.

Points to note:

- The panel may choose to refer students to appropriate advice and guidance services or access additional positive intervention services and / or issue a behavioural contract.
- Where a request for withdrawal is declined the Restorative Process should be offered along with the agreed sanction.

Inclusion Panels of students with EHC Plans

If an Inclusion Panel is requested for a student with an EHC plan we will have regard to the DfE guidance on exclusions which gives very clear advice that if we are considering exclusion it would be very difficult to evidence that we had taken all reasonable steps if we had not called an emergency EHCP review. Unlawful exclusion of a pupil with a disability may amount to disability discrimination under the Equality Act 2010.

When an exclusion is considered appropriate, this decision must be made in partnership with the Local Authority and subject to an emergency EHCP review. An exclusion can only be considered when all possible reasonable steps to avoid exclusion have been exhausted. If

there is clear evidence that all possible reasonable steps have been taken and an exclusion is still assessed as appropriate, then

- An emergency EHCP review must be called PRIOR TO THE STUDENT BEING EXCLUDED.
- Evidence must be presented to show what reasonable steps have been taken to avoid exclusion.
- Evidence that the behaviour the student is being excluded for is not part of their disability.

Suspending a Student

Cooling off periods can be allowed after one-off incidents which do not pose an ongoing risk. Cooling off periods should last for 24 hours maximum UNLESS there is a risk of harm to student or others. This should be logged in student comments on ProMonitor.

Student suspensions can be agreed at Curriculum Area Manager (CAM) level for a maximum of 48 hours UNLESS there is a risk of harm to student or others.

Please note: If suspensions are not correctly reported the student is officially 'missing from education' therefore ALL suspensions should be logged on ProMonitor under a suspension meeting and a comment added for the attention of 'support'.

When students return to College or online learning they must meet with their Progress Coach / tutor / SPL / CAM who will discuss the events leading to the cooling off period and agree any appropriate further actions.

Parents / carers must be informed for any student under 18 years of age being sent home or being suspended. In the case of a request to suspend vulnerable students e.g. students with an EHCP, Looked After Child, Young Parents, Young Carers, those working with the Youth Justice Service, Care Leavers, Estranged for more than 48 hours a scrutiny panel chaired by the Head of Student Support & Development, Pastoral Support Manager or SEND Manager should be requested. Request for this to be submitted to suspensionrequest@kirkleescollege.ac.uk.

Students who pose a risk to themselves or others may be suspended from College pending further action / formal hearing, with agreement from the AP Student Experience, a DDSL, Head of Student Support, Pastoral Support Manager or the Student Inclusion Lead. During the period of suspension an investigation will be carried out into the alleged offence; the hearing must take place within **10 college days of the suspension / incident**.

During the suspension period, the student will:

- Only attend College for a specific meeting arranged by the member of staff in charge of the investigation.
- If necessary, statements can be taken over the phone or received by e mail.
- Continue to complete and submit work electronically where possible.
- Not seek to contact anyone else involved in the investigation.

Wherever possible, suspended students should be offered online learning materials to support them to continue their education.

All suspensions must be communicated to the student and parents/carers by phone call and must be confirmed in writing within 2 days of the suspension if it is likely to be longer than the 'cooling off period'. All factual information and actions taken relating to the suspension should be recorded on ProMonitor for the attention of all relevant staff.

Suspension due to police investigation into criminal or high-risk behaviours

Students may be suspended without prejudice if they are being investigated by the police for a crime that is judged to have a potential harmful impact on students or staff in college. A suspension may also be applied if the college becomes aware of behaviour that opposes our values or brings the college into disrepute. If the college becomes aware of any criminal activity (either in college or not) we have a duty to report this to the police. Examples of such high-risk crimes/behaviours would include any safeguarding matters involving abuse or criminal behaviour targeting children or vulnerable adults, sexual assaults and rape, crimes that are relevant to the programme of study (e.g. IT based fraud or misuse by an ICT student), crimes of violence, hate crimes. This list is not intended to be exhaustive and the decision should be taken after assessing the potential risk to those in the college environment and to the student in question. The decision to suspend must be taken in consultation with the AP Student Experience, DDSL, Head of Student Support & Development, Pastoral Support Manager or Student Inclusion Lead.

The suspension is to protect the student and others and will be reviewed once the outcome of the police investigation is known. Wherever possible, the suspended student should be allowed and supported to complete their programme of study (study at home, planned tutorial meetings, etc.). This will not always be possible if the matter arises early in the college year. Each case will be assessed on an individual basis.

Enrolment Scrutiny Panel hearings

When a student has been issued with a fixed term exclusion e.g. rest of academic year, they may apply to study at Kirklees College once this period of time is over. Before their application is processed, an Enrolment Scrutiny Panel hearing will take place. This panel will assess the suitability and readiness of the student to continue their education with us. (see appendix 9 for process).

Where a student has been subject to a fixed term exclusion and college has evidence of further misdemeanour either at college or elsewhere, a risk assessment will be completed. Where the outcome of the risk assessment is that the student is 'high risk', it is not necessary to convene a panel. At this point the application can be refused along with an extension to the fixed term exclusion or issuing of a permanent exclusion.

A panel may be convened if further discussion is needed to consider an extension to the fixed term exclusion or issuing of a permanent exclusion. The outcome will be communicated within 7 days of the decision being made.

The panel's decision may be appealed based upon the submission of new evidence or evidence of procedural irregularities.

Student Appeal Procedures

Appeal against a Formal or Final Warning

Students who wish to appeal against the issuing of a Formal Warning or Final Warning must email appeals@kirkleescollege.ac.uk stating their reasons.

Appeal against a Formal Warning will be considered by a CAM from another curriculum area, who will review the circumstances and decide whether there are grounds for upholding the appeal. Other parties that may need to be involved at this stage include the student's advocate, members of the Student Experience management team and/or the safeguarding team. The student will be informed of the decision by e mail or in writing.

Appeal against Final Warning will be considered by a HoF from another curriculum area who may decide to review the evidence in a formal meeting attended by the student, parent/carer or advocate and the course tutor. Members of the Student Experience management team and/or the safeguarding team may need to be involved at this point. The student will be informed of the decision by e mail or in writing.

Appeal against Exclusion, Withdrawal or Enrolment Scrutiny Panel decisions

In the case of any appeal against Withdrawal, Exclusion, and Enrolment Scrutiny panels the student will need to apply in writing to an Assistant Principal within 10 working days of being notified of the outcome.

The appeal will need to set out reasons why the exclusion is unfounded or unjustified. Grounds on which an appeal will be considered are the submission of new evidence or evidence of procedural irregularities.

Appeals will be submitted via appeals@kirkleescollege.ac.uk

The Assistant Principal will review the panel's decision and decide whether there are grounds for an appeal hearing to be held. The student will be informed of that decision by e mail or in writing.

If the decision is that the appeal is justified due to the submission of new evidence or claimed procedural irregularities, an appeals panel will then be convened by the Assistant Principal.

The procedure for the hearing is set out below:

- Only witnesses and documents identified to the Chair in advance of the hearing will be referred to during the hearing itself.
- The student or their advocate will be invited to state the grounds of their appeal.
- The panel will have the opportunity to ask questions of the student or their advocate.
- The chair of the original panel will then present their case.
- The panel will have the opportunity to ask questions of the chair of the original panel.
- Both sides will have the opportunity to summarise their cases.

- Both sides will withdraw from the hearing, leaving the panel to deliberate in private. The panel can recall either side to seek points of clarification.
- The panel will normally inform the student of their decision by phone call followed by a letter sent within 5 working days.

Return to Education Considerations

During COVID-19, adjustments have been made in line with government guidelines, necessary to ensure safety of staff and students.

Consideration should be given to the potential impact on students' behaviour and attitudes. Staff must be sensitive to an individual student's previous experiences and support them to readjust. Staff should consider the following:

- Experiences of bereavement or loss or another, real or perceived, traumatic episode.
- The experiences of students during lockdown may have impacted on their ability to concentrate, socialise and learn.
- Some students may present with frustration as a result of being isolated from friends or having missed a significant event or experience.
- Re-adjusting to working alongside peers.
- Disruption to routine (again).
- Effects can be long lasting.

Addressing Behaviour On-site - Covid 19 Regulations

Where behaviour issues occur, staff should address this whilst following all Covid 19 safety measures. Please refer to health & safety policies and relevant risk assessments.

Appendix 1 - Reward and Recognition Flowchart

The Behaviour Code standardises expectations of staff and students at Kirklees College; enabling students to learn and teachers to teach.

Rewards and Recognition

TIMELY - Reward and recognise at point of desired behaviour.

NOTICE – first attention to best conduct. Aim to catch students doing the “right thing”.

HOME – positive postcard/phone call home (parent/carer partnership), who do they want to make proud?

OVER AND ABOVE – differentiated to students but praise beyond minimum standards.

When students need support with positive behaviour.....

Restorative Practice Intervention (RPI) should always be the first option where there is damage to relationships.

With agreed actions to achieve.

Support available may include:

Mediation between affected parties
Progress Coaching
Support referral e.g. Student Engagement Mentor, chaplaincy
Parent/carer partnership

Fitness to Study

Students who present with difficulties due to their physical or mental wellbeing should, wherever possible, be considered from a supportive perspective rather than a disciplinary one. This will be assessed on a case by case basis by the inclusion panel.

If RIs do not have desired impact, or students do not engage, disciplinary procedures may still be applied. Stage 1, Coaching caution to be issued by Progress Coach. Up to 3 coaching cautions can be issued.

Disciplinary

Report Action Plan

Formal

Final

Exclusion

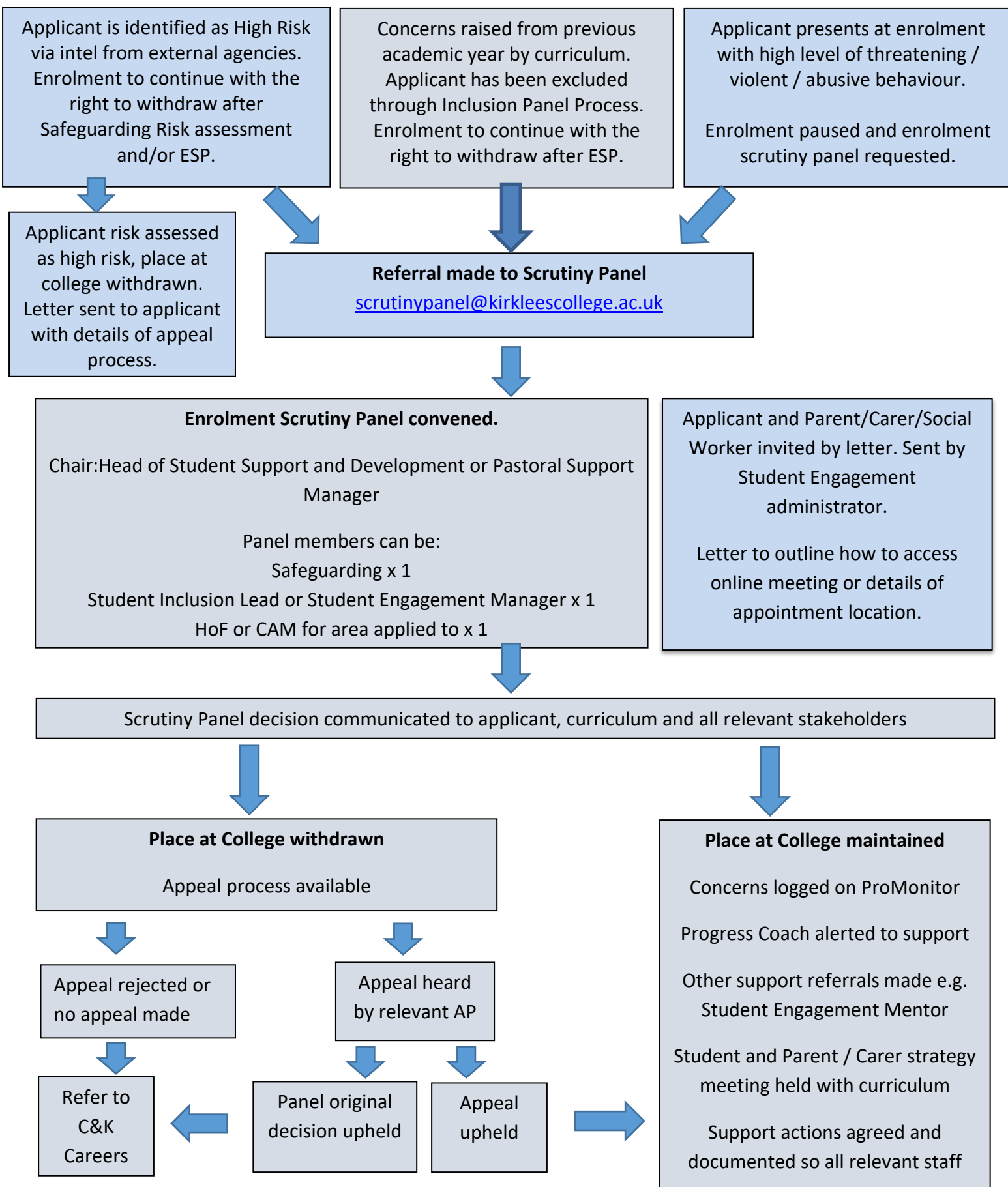
(Disciplinary procedure should be avoided within the first 42 days of academic year, unless there is reasonable justification and with authorisation from HoF)

Restorative Practice Intervention (RPI) should always run alongside any formal disciplinary procedure where appropriate and will be facilitated by progress coaches.

Further Support available may include:

Mediation between affected parties
Progress Coaching
Support referral e.g. Student Engagement Mentor, chaplaincy
Parent/carer partnership

Appendix 2 - Enrolment Scrutiny Panel (ESP) Process



Appendix 3 – Response to Incidents Across College

Positive Behaviour – Response to Incidents Across College

To create a supportive, inclusive and collaborative educational experience we work within the core principals of collaboration and community, inclusivity and accessibility and student centred approaches to create a sense of belonging.

To ensure expected behaviours and attitudes are upheld we drive an ethos of valuing positive relationship between all members of the KC community through effective application of the Positive Behaviour Policy (PBP). It is everyone's responsibility to apply the PBP in a fair and consistent manner, this table details specific duties relating to upholding the PBP.

Student Engagement Mentor (SEM)	Security	Student Experience Leads/Managers	Curriculum Area Manager (CAM)	Pastoral mentors (PM) and Apprentice Mentors (AM)	Study Programme Leader (SPL) and other curriculum staff
<p>Have a presence in social areas at busy times and support students to uphold college values. Respond to on site behaviour incidents via radio communication, including:</p> <ul style="list-style-type: none"> De-escalation Follow up support for student Encouraging respect and positive behaviour and attitudes Taking statements Phone calls to parents/carers Support for student during searches conducted by security <p>Where a student may need to leave college for a cooling off period, request support of CAM or Student Experience management, in line with Positive Behaviour Policy.</p> <p>Act as an advocate for students in disciplinary hearings including Inclusion Panels. Offer ongoing 1:1 support to meet targets related to behaviour.</p> <p>Record all interventions on Promonitor (and CPOMS where appropriate), including students' voice and wishes and comments made by parents/carers. FAO the curriculum staff.</p>	<p>Warmly welcome students.</p> <p>Request support from SEMs to help deal with incidents where de-escalation or follow up support for students is appropriate.</p> <p>Where a student may need to leave college for a cooling off period, request support of CAM or Student Experience management, in line with Positive Behaviour Policy.</p> <p>Record incidents and actions taken on Promonitor (and CPOMS where appropriate), FAO the curriculum staff.</p> <p>Conduct searches in line with college policy ensuring relevant members of staff are present to support students.</p>	<p>Respond to on site behaviour incidents where a decision needs to be made on action to be taken, in line with PBP in conjunction with CAMs.</p> <p>Organise and take part in student panels (enrolment scrutiny, inclusion, fitness to study). Work collaboratively with HoFs and CAMs as part of decision-making process.</p>	<p>Wherever possible, relevant CAM should respond to on site behaviour incidents where a decision needs to be made on action to be taken, in line with Positive Behaviour Policy.</p> <p>Attend student panels (enrolment scrutiny, inclusion, fitness to study) as required, and present the required information or form part of the panel.</p> <p>Support, promote and embed a restorative practice approach within curriculum.</p>	<p>Mentors should respond, where possible, to support their students with:</p> <ul style="list-style-type: none"> Meeting expectations of behaviour Support for student during searches conducted by security Phone calls to parent/carers Follow up support for student <p>Attend and advocate at student panels (enrolment scrutiny, inclusion, fitness to study) as required.</p>	<p>Attend student panels (enrolment scrutiny, inclusion, fitness to study) as required</p> <p>Ensure appropriate reward, recognition and celebration of positive behaviour is embedded in student activity.</p>
<p>Duty Manager: Keep duty manager informed at every stage until incident is resolved. If appropriate Duty manager should record incidents in the duty manager log.</p>					
<p>Everyone will:</p> <ul style="list-style-type: none"> Apply the PBP in a fair and consistent manner. Adopt a restorative practice approach to all interactions within college. Ensure appropriate reward, recognition and celebration of positive behaviour is embedded in student activity. Record incidents and actions taken on Promonitor, CPOMS and SmartLog where appropriate, FAO the relevant staff. In carrying out all the above, all staff will follow all relevant policies including Safeguarding and Health & Safety. 					