

Learner Disciplinary and Behaviour Policy

Policy Scope

Leicestershire County Council is committed to providing an inclusive, supportive, and positive learning experience for all learners. As part of this we have high expectations in terms of learner behaviour. The following policy outlines what learners should expect from us and what our expectations are for our learners.

A criminal offence committed during the time a learner is enrolled with the service, whether it occurred on Adult Learning premises, could lead to this disciplinary procedure being used. It is important that every learner can enjoy a rewarding and enjoyable experience during their course or programme. Your entitlement and responsibilities as a learner are detailed below to help you achieve your goal.

Our Learning Charter

What you, as a learner, can expect from us:

- To be treated with respect and without discrimination. We will actively challenge any discriminatory behaviour
- A welcoming and safe place to learn
- Clear and impartial advice about learning and learning support
- Experienced and suitably qualified tutors who teach you as an individual, offering a variety of teaching methods
- To develop your skills as an independent learner
- To have regular tutor feedback to help you to improve your skills and understanding
- To provide the essential resources and materials to help you learn
- To have your comments, compliments, concerns, and complaints listened to and to know what action has been taken
- To ensure that all your personal information is kept confidential and only shared with necessary third parties with your permission

What does the Adult Learning Service expect from you?

- To let us know if you need to miss a class so that your tutor can plan to help you
- To arrive promptly or to let us know if there is a problem with being on time

- To make sure we always have your up-to-date contact details, as we may need to contact you urgently
- To talk to your tutor about your progress and anything that may affect your learning
- If you are enrolled on one of our courses with an exam, you will be expected to take your exam in person at one of our centres. To sit your exam, you'll be required to provide photo ID on the day
- To respond to health and safety advice and procedures
- To use all computing and internet access safely and appropriately.
- To show consideration to all learners and staff whilst using our car parks and speak to a member of staff if there are any issues
- To take good care of equipment and buildings
- To always treat other learners and staff with respect
- We reserve the right to withdraw your place if you are verbally or physically abusive to staff or other learners
- To give us feedback to help us to improve what we offer
- To complete set tasks outside of your course sessions as required to aid your learning and development
- To respond to requests for essential information, so we can plan future provision to meet the needs of the community
- To let us know why if you wish to withdraw from your course

If learner conduct falls below expectations or could be deemed as impacting the learning experience or safety of other learners, the behaviour management process will be triggered. Examples of behaviour that could trigger this process are listed below but is not an exhaustive list.

Performance

- Consistent lack of effort or poor attendance resulting in poor standards of work
- Consistent failure to complete work to agreed deadlines
- Plagiarism

Behaviour

- Consistent poor attendance without mitigating circumstances
- Consistent lateness to class
- Any behaviour which is disruptive/offensive/intimidating to learning service staff and/or other learners
- Arriving or taking part in classes or learning activities under the influence of alcohol or banned substances
- Swearing or other abusive/offensive language

Serious Misconduct

- Violence or vandalism to people or property
- Abuse, bullying or harassment as defined in the County Council's Anti-Bullying and Harassment Policy
- Rudeness, disrespectful or other inappropriate behaviour.
- Theft, forgery and/or fraud
- Breach of Health & Safety e.g., tampering with fire alarms
- Irresponsible behaviour resulting from use of banned substances or alcohol
- Promotion or sale of banned substances
- Serious misbehaviour which is disruptive or offensive to staff and/or other learners or visitors
- Significant misconduct likely to bring the Learning Service into disrepute
- Behaviour likely to cause accident or injury to self or others
- Serious damage to premises (or other external venues used by the learning service) and equipment (including IT equipment)
- Unauthorised interference with IT systems or computer configurations, for example 'hacking'
- Inappropriate use of internet and email and social media – accessing or transmitting material which is considered by the Learning Service to be offensive, obscene, abusive, malicious to staff or other learners

Behaviour Management Process

The stage at which the disciplinary procedure starts is subject to the seriousness of misconduct. For guidance and advice please speak to a line manager or a member of the safeguarding team.

	Process	Responsible Staff
Stage 1 Meeting	<p>Informal warning 1 (Cause for concern)</p> <p>One to one meeting with learner with record entered on ProMonitor.</p>	Tutors/CLP/LDDC.
	<p>Recorded clear objectives and actions with a timescale for improvements.</p> <p>This should be reviewed at intervals agreed with the learner and appropriate to course and concern.</p>	
Stage 2 Meeting	1 st Formal Warning (verbal warning).	CLP/LDDCs.
	Implement / review action plan described above as appropriate. Recorded on Pro Monitor as a Stage 2 Meeting.	
Stage 3	Written Warning.	Programme Manager.
	Implement / review action plan described above as appropriate.	
Stage 4	<p>Disciplinary hearing panel.</p> <p>If a possible outcome is permanent exclusion / withdrawal from course.</p>	Programme Manager/SMT.

Summary of The Disciplinary Procedure

All learners are treated in a fair and consistent manner and have the right of appeal against any formal disciplinary action.

Stage 1 Concern (Informal)

Stage 2 (Verbal Warning)

Stage 3 (Written Warning)

Instant Exclusion / Withdrawal from your course(s).

Instant exclusion may occur for gross misconduct which includes but is not limited to:

- Abuse, bullying or harassment as defined in the County Council's Anti-Bullying and Harassment Policy
- Serious misbehaviour which is disruptive or offensive to Learning Service staff and/or other learners or visitors to the Learning Service
- Threats or physical assault
- Stealing
- Deliberately damaging property at Learning Service
- Causing harm by disclosing sensitive or confidential information about the Learning Service or employer
- A serious breach of safety rules. For example, misusing dangerous equipment
- Being under the influence of alcohol or other drugs and being incapable of working safely and efficiently

All cases of dismissal must be issued by Head of Service or Designated Safeguarding Lead.

Confidentiality

Details of all disciplinary investigations, hearing, warnings, and appeals will be regarded as strictly confidential. Consequently, access to written correspondence and records will be restricted to those directly involved in the investigation and/or disciplinary hearing as appropriate. Staff and witnesses involved should not discuss any disciplinary matter with other members of staff/learners or the public who are not directly involved in the disciplinary process.

Outcomes

Suspension

In some circumstances, for example in the event of a formal complaint, it may be necessary for the service to suspend a learner from studies at short notice. The service reserves the right to do so until a satisfactory outcome can be reached. The service will support suspended learners who are due to sit exams and/or assessment to do so.

Terms of suspension are at the discretion of the Head of Service or Designated Safeguarding Lead. The outcome of a suspension may become an exclusion where the terms of appeal and return as listed below will then apply.

Excluded Learners Wishing to Return

In the event of an expulsion, there are three periods that a learner can be expelled for. This will depend on the nature of the misconduct and evidence from an investigation. The term of expulsion and rationale behind the time chose will be set out in written communication to the learner. The time periods are as follows.

- One academic year
- Three years
- Permanent exclusion

The expulsion period is at the discretion of the Head of Service.

Appeals Procedure

A learner has the right to appeal against a suspension or expulsion decision. The intention to appeal must be made in writing within 10 working days. Any appeal must be reviewed by a member of the senior management team independent to the original decision panel. If a learner fails to attend a hearing date, the appeal will proceed in their absence.