

## **Learner Code of Conduct and Disciplinary Policy**

### **Introduction**

The Skills Centre (TSC) is committed to safeguarding and promoting the welfare of all learners and expects all staff and volunteers to share this commitment. It is our aim that all learners are kept safe and supported to fulfil their potential.

This policy sets out the Code of Behaviour for all learners. It also sets out the procedure which will be followed if the Code of Behaviour is broken. This code applies to all TSC learners. The staff team will ensure that the policy is implemented equally in all cases, without regard to ethnic origin, cultural differences, gender, disability, or sexuality. If learners have any concerns about the implementation of this policy, they should refer this to the HR manager.

We believe that good behaviour is founded upon good relationships, clear expectations and an understanding of individual learner needs. We promote good behaviour by creating a professional environment where everyone feels valued, respected, safe and free from anti-social behaviour. We believe that every learner and member of staff is responsible for promoting good behaviour and embodies our 5 values; Inclusive, Responsive, Safe, Engaging and Consistent. We work hard to ensure that we incorporate our values in all that we do.

### **Code of Behaviour**

Learners are expected to:

- Always show positive behaviour whilst at TSC. This includes attending all lessons, workshops and activities and engaging positively in everything. We expect our learners to always try their best.
- Attend their lessons and activities on time and stay for the whole session.
- Ensure they actively participate in lessons, ensuring they give the lesson their full attention without distractions, such as using their mobile phone.
- Treat others with tolerance and respect, and following British Values. This includes letting other learners learn without disruption.
- Follow all Health and Safety rules, policies, and procedures, following the instructions of staff.
- Respect their environment and resources by treating everything with care, both on-site and during off-site activities. Our learners should never intentionally cause any damage.
- Support staff and other learners in keeping their environment clean and tidy.
- Complete their work and activities to the best of their ability.
- Respect TSC's zero tolerance to weapons, alcohol, and drugs, never bringing them on-site, or to off-site activities, or attend whilst under the influence of alcohol or drugs.
- Always act lawfully and professionally, as they would be expected to in a work environment.
- Understand that their parents, carers, guardians, and appropriate professionals may be informed of concerns and involved in discussions around how to support them.

Should a learner fail to follow these expectations, they may face disciplinary action which could put their place with us at risk.

### **Disciplinary Procedure**

We understand that poor behaviour may be a result of emotional anguish, personal issues, or concerns, or due to miscommunication or lack of understanding that may lead to frustration. Our disciplinary procedure is designed to be supportive wherever possible, but our learners must understand that sanctions may be necessary and may include removal from their programme.

Any learner who is upset, distressed, or acting in an unsafe manner will have the opportunity to remove themselves from the classroom or workshop to allow them to calm down. Staff will offer individual learners the opportunity to talk about their concerns or worries or just to calm them down if something has upset or angered them but will respect their need for space when requested.

If a learner does not follow the expectations in the Code of Behaviour, TSC will follow the disciplinary procedure below:

#### **Step one:** Informal discussion

If a learner gives a member of staff a cause for concern, that member of staff or their tutor will have a conversation with the learner. The member of staff will outline the cause for concern, discuss any possible reasons for the unwanted behaviour and suggest strategies for additional support, agreeing improvement targets. The aim at this stage is to help the learner to understand why the behaviour is not appropriate, and to help the staff understand any factors that may have caused the behaviour.

#### **Step two:** Yellow Card

If the learner's behaviour does not improve or should the breach of the Code of Behaviour be a re-offence, the member of staff will have a conversation with the learner, where they will agree clear and rapid expectations for improvement. The behaviour leading to the yellow card and the agreed behaviour plan will be recorded on the learner management system and reported to the centre manager (or equivalent) and the member of staff responsible for the learner's programme. If the learner is an apprentice, the employer will be notified of the incident and any sanctions imposed. A manager may be directly involved or have a further conversation with the learner if this is felt to be appropriate.

#### **Stage three:** Red Card

Following step two, should the learner's behaviour continue to breach TSC's behaviour policy and/or the Code of Behaviour or should the breach to the Code of Behaviour be a continued reoffence, the learner will be required to leave the premises. The learner will be sent home or back to work as appropriate.

To protect staff and ensure fairness, removing a learner is to be agreed with the centre manager, programme manager, or a director. If you are unable to make contact with one of these, in exceptional circumstances, such as the safety of staff and other learners is at risk, tutors may implement the stage three but must inform a director as soon as possible.

Investigations will be carried out by a senior manager and/or the safeguarding team. Outcomes may include, but are not limited to:

- mediation meetings
- written contracts for the learner to agree to on their return
- exclusion from activities
- termination of their placement.

Where appropriate the outcome of the investigation will be reported to the learner's employer, parent or guardian, and relevant professionals and authorities.

If the offence is serious enough, or if it is more appropriate to do so, the member of staff may move straight to this step and skip step one and two. Step one will be followed in the first instance unless the complaint against a learner is sufficiently serious to move straight to Step 3.

A company Director will take responsibility for the implementation of this policy and procedures and will take the lead on all incidents that require a level 3 (red card) response.

## **Misconduct**

Misconduct includes any of the following:

- Any breach of the Code of Behaviour.
- Not following the reasonable instructions of a member of staff.
- Poor attendance or timekeeping without good reason.
- Cheating or plagiarising (copying) the work of other people.
- Smoking or vaping outside of the designated smoking areas (both at TSC and at off-site premises).
- Disrupting lessons or any other TSC activity.
- Using mobile phones in lessons (other than when directed to do so for research or linking to the interactive whiteboard, or to listen to music).
- Using abusive language or behaving in an offensive way.
- Causing damage to TSC property or any property of others, deliberately or by gross negligence (carelessness).
- Interfering with software or data belonging to or used by TSC or using unauthorised software on TSC equipment or introducing any virus (or other corruption/interference to equipment or software).
- Using the internet inappropriately, either on TSC equipment or on your own equipment (i.e., mobile phone, tablet) whilst at TSC or on off-site activities.
- Taking part in any theft of property or any other dishonest acts.
- The use, possession or supply of any illegal substance or alcohol on TSC premises or during any activity associated with TSC.
- The possession of weapons on TSC premises or during any activity associated with TSC.
- Consistently failing to meet deadlines to complete work without good reason.
- Bullying, intimidating, or harassing any learner, member of staff or visitor to TSC, or any members of the public while on TSC activities.

- Behaving in a way which is (or can be interpreted to be) sexually or racially offensive or which is offensive to those with learning and/or physical disabilities or impediments.
- Behaving in a way which could damage TSC's reputation.
- Any illegal act which may negatively affect TSC or other learners.

This is not an exhaustive list. (That means it gives examples but does not show everything that could be on the list.)

### **Gross Misconduct**

Any serious cases of misconduct or negative behaviour may be treated by TSC as gross misconduct. For example, any misconduct involving violence or a serious threat of violence, deliberate damage to property, endangering the health and safety of others, or any criminal activities affecting TSC or other learners (or which could damage TSC's reputation) are likely to be treated as gross misconduct and could lead to immediate exclusion.

### **Acts of Violence**

We believe that our learners should be treated as adults to prepare them for the outside world. It is therefore TSC's policy not to use physical contact or force to control or restrain learners in order to prevent personal injury, damage to property or the prevention of a criminal offence being committed. If situations such as these arise, the police may be contacted, and learners and staff will be moved to a place of safety.

However, staff who are trained in conflict management, self-defence, and breakaway techniques to ensure their personal safety and that of others may implement these techniques in extreme circumstances. Where staff have reasonable grounds for suspecting that the learner may have a prohibited item the learner will be asked to leave the premises, and where appropriate the police will be contacted. Prohibited items include knives or weapons, alcohol, illegal drugs, stolen items, fireworks, pornographic images, any item that could be used to commit an offence or personal injury or damage to property. Any learner found in possession of them will face disciplinary action.

### **Appeals**

Appeals will only be accepted if new evidence has been found that has not already been considered or if there are grounds to suggest that the procedures were implemented unfairly, or the outcomes judged too severe. Appeals should be made to the head of HR.

Legal representation will not be allowed.