



Issue Date: September 2023

Review Cycle (Years): Annually

Next Review Date: 5th September 2024

Person Responsible: Vice Principal Curriculum Innovation, Quality & Performance

LEARNER BEHAVIOUR & CONDUCT POLICY

APPROVAL/CONSULTATION REQUIREMENTS

| WHO BY | REQ? | DATE | WHO BY | REQ? | DATE |
|--|---------------------------------------|---|-------------------------|----------------------------|------|
| SLT | Y <input checked="" type="checkbox"/> | 04-09-23 | Corporation | Y <input type="checkbox"/> | |
| Health-Safety Comm. | Y <input type="checkbox"/> | | Finance-Resources Comm. | Y <input type="checkbox"/> | |
| Trades Union | Y <input type="checkbox"/> | | Audit Comm. | Y <input type="checkbox"/> | |
| Education-Standards Comm. | Y <input type="checkbox"/> | | Remuneration Comm. | Y <input type="checkbox"/> | |
| POLICY LOCATION: Internal <input checked="" type="checkbox"/> (Sharepoint) External <input type="checkbox"/> (Please Specify) | | | | | |
| Related Documents: | | <ul style="list-style-type: none"> • Learner Behaviour and Conduct Breach Procedure • Learner Fitness to Study Policy | | | |

1. PURPOSE AND DEFINITIONS

- 1.1 Coventry College has high expectations and high aspirations for all learners. It recognises that good behaviour and self-discipline supports effective learning, and is critical to a learner's progress. The College rules can be simplified as **Ready, Respectful, Safe**. The College expects learners to be **ready** to learn, to be **respectful** to all and to be **safe** at all times while in College.
- 1.2 This policy is intended to guide staff in taking a fair and consistent approach in matters of learner behaviour and conduct to support staff when challenged by unacceptable behaviours exhibited by individuals or groups of students.
- 1.3 All learners must be given the opportunity to become aware of the rules they are expected to comply with; these are detailed in the College Pledge. Learners must also be aware of the consequences that will be applied if they fail to comply. When action is taken against a learner, they must be given the right of appeal. During induction, learners will receive a copy of the College Pledge, which they must confirm they agree to, and must be given access to the Learner Behaviour and Conduct Policy.
- 1.5 Special consideration and reasonable adjustment will be made where a learner's understanding of the Learner Behaviour and Conduct Policy may be affected by their learning difficulty, disability or mental health. Each case will be dealt with on an individual basis.
- 1.6 It must be made clear to learners that teaching staff and members of Learner Services can provide them with information on the Learner Behaviour and Conduct Policy, the rights of the individual and possible representation. They can also provide access to support, if required.
- 1.7 At all stages of the process, learners should be informed of their right to support and the provision of any appropriate reasonable adjustments.

2. SCOPE AND RESPONSIBILITIES

- 2.1 The scope of the policy is not restricted to college premises and includes any behaviours that effect the local and wider community of Coventry, and/or brings the college in to disrepute.
- 2.2 The policy is intended to be used where issues around behaviour and conduct cannot be managed through every day classroom management, or when behaviour or conduct remains unacceptable despite informal intervention.
- 2.3 Overall responsibility for the implementation of the Learner Behaviour and Conduct Policy lies with the Vice Principal, Curriculum Innovation, Quality and Performance.
- 2.4 During teaching and learning sessions, the teacher/assessor/trainer has immediate responsibility for learner behaviour and conduct.
- 2.5 All college staff have responsibility for maintaining learner behaviour and conduct outside the teaching and learning areas and should advise learners that behaving in a manner that is contrary to the College Pledge may lead to disciplinary action. Staff should then follow the appropriate action listed in the policy.
- 2.6 Parents and carers of learners 16 – 18 Study Programmes will be informed of disciplinary procedures as much as practically possible
- 2.7 Learners studying on higher education programmes are subject to the Learner Behaviour and Conduct Policy, in conjunction with additional policies, processes and procedures also in place, to regulate the higher education provision.

3. DISCIPLINARY PRINCIPLES

- 3.1 All efforts should be directed towards helping and supporting learners and attempts should be made to resolve minor breaches informally through the tutorial process, using target setting, classroom management and close monitoring by tutors//teaching/assessing staff.
- 3.2 When all informal efforts have failed to address issues, the formal process should be applied in a fair and considered way. The procedures should begin at the stage appropriate to the type of breach.
- 3.3 All alleged breaches of the Learner Behaviour and Conduct Policy must be investigated, with documented evidence; ProMonitor comments, witness interviews, statement taking, or examination of other documents should be undertaken. It is the responsibility of the chair of the disciplinary meeting to ensure that all documents necessary are presented at disciplinary meetings.
- 3.4 Breaches of discipline may be 'minor', 'major' or 'gross'. Any examples given in this policy are for guidance only and do not represent an exhaustive list. Professional judgements will need to be made in individual cases and are ultimately the decision of the Director of Faculty.
- 3.5 Where a learner is suspected of a criminal offence, the police will be contacted if appropriate. Any subsequent formal police action will not affect the college's own Learner Behaviour and Conduct Policy from being implemented but the procedure may be extended or suspended depending on the type of police investigation being carried out. This will be decided by the Vice Principal, Curriculum Innovation, Quality and Performance.

4. COOLING OFF PERIOD, SUSPENSION AND EXCLUSION

- 4.1 At the discretion of the Director of Faculty or Duty Manager, at the point of an incident occurring, a 24-hour 'cooling off period' can be used, if deemed appropriate. This is not a suspension and it should be clearly communicated that the learner is to return on their next day of learning.
- 4.2 Suspension is only to be used as a temporary action where there is a potential physical risk to others or to the perpetrator, in order to give time for an investigation to be undertaken before a disciplinary meeting. Suspension is a neutral act and not a sanction.
- 4.3 Parents/carers of learners under the age of 18 must be informed if a learner has been suspended or the 'cooling off period' is evoked.
- 4.4 The relevant Director of Faculty is solely responsible for making the decision whether or not to suspend a learner. The Duty Manager or members of the Senior Leadership Team can also suspend a learner in their absence.
- 4.5 All suspension and 'cooling off' actions must be noted via the 'Comments' function in ProMonitor by the Director of Curriculum/Duty Manager.
- 4.6 A suspension must be confirmed in writing to the learner by the relevant Director of Faculty via the Directorate Administrator. The Director of Faculty/Duty Manager will inform the Administrator who else should be informed and this must be done so immediately after an incident has occurred via the 'Learner Suspension Form'.
- 4.7 Whilst suspended, a learner may not enter college premises, or other premises used for the delivery of college education, without permission from the relevant Director of Curriculum.
- 4.8 If a Stage 3 meeting has been undertaken and a learner is to be excluded for the current academic year, the chair of the meeting must obtain authorisation by the Vice Principal Curriculum Innovation, Quality & Performance before the meeting is closed or immediately thereafter (if not practically possible).

5. MANAGEMENT OF DISCIPLINARY BREACHES

- 5.1 There are 3 stages to the Disciplinary process: Stage 1 for minor breaches, Stage 2 for major breaches and Stage 3 for gross breaches to the College Pledge.
- 5.2 Stage 1 Disciplinary Meetings will be chaired by the Personal Tutor (or nominated representative). The process for Stage 1 Disciplinary Meetings can be found in the attached 'Breaches Procedure'. A Stage 1 Disciplinary Meeting can be held without advance notification and there is no requirement or expectation that a learner should be accompanied at the meeting.
- 5.3 Stage 2 Disciplinary Meetings will be chaired by a Curriculum Manager (or nominated representative) that is managing the learner's main programme of study. The process for Stage 2 Disciplinary Meetings can be found in the attached 'Breaches Procedure'. Advance notification of the meeting should be given to all attendees (a minimum of 2 working days).
- 5.4 Stage 3 Disciplinary Meetings will be held by the Director of Curriculum that is managing the learner's current learning. The process for Stage 3 Disciplinary Meetings can be found in the attached 'Breaches Procedure'. Advance notification of the meeting should be given to all attendees (a minimum of 3 working days).

- 5.6 All details of any disciplinary meetings must be recorded on ProMonitor via the 'Learner Meetings' function and minutes taken by the chair who can delegate this to the Directorate Administrator.

6. APPEALS

- 6.1 At each stage of the disciplinary process, it is important that learners are given the right to appeal and are informed that they may seek advice on any support requirements from Learner Services. They must also be given a copy of all relevant documentation relating to the procedure and advised of the outcome of the disciplinary procedure in writing. This will be done by the Directorate Administrator in all cases.
- 6.2 Any appeal must be made in writing within 10 working days of receiving formal communication, and must state the grounds for the appeal (e.g. new evidence not considered by the panel, conduct or fairness of the original procedure, disagreement over sanction applied).

➤ **Minor Breach Appeals (Stage 1)**

- Appeal will be heard by the relevant Curriculum Manager within 10 working days of the receipt of the appeal (wherever practicable). The learner can be supported in the appeal meetings by a member of college staff, friend or relative (not legal advisor). Their decision is final and will be communicated to the learner in writing within 5 working days (wherever practicable) and logged onto ProMonitor under the original meeting record.

➤ **Major Breach Appeal (Stage 2)**

- The appeal will be heard by a Director of Faculty within 10 working days of the receipt of the appeal (wherever practicable). The learner can be supported in the appeal meetings by a member of college staff, friend or relative (not legal advisor). The decision of the Director of Faculty is final and will be communicated to the learner in writing within 5 working days and logged onto ProMonitor under the original meeting record.

➤ **Gross Breach Appeal (Stage 3)**

- The appeal will be heard by the Vice Principal Curriculum Innovation, Quality and Performance (or nominee) and an additional Director not already involved in the case. The appeal will be heard within 15 working days of the receipt of the appeal (wherever practicable). The learner can be supported in the appeal by a member of staff, friend or relative (not a legal advisor). The decision of the appeal panel is final and will be communicated to the student in writing within 5 working days and logged onto ProMonitor under the original meeting record.

7. RECORD KEEPING

- 7.1 Records of each stage of the disciplinary process must be logged on ProMonitor under the 'Disciplinary Meeting' function. All relevant parties must be informed in writing of the outcome at each stage.
- 7.2 An annual evaluation of the policy outcomes and relevant equality data will be presented to SLT and governors to allow for reflection and improvement.

8. IMPLEMENTATION OF THE POLICY

8.1 College will ensure that:

- The policy is implemented consistently across the college

9. MONITORING AND EVALUATION

9.1 The outcomes for all learner behaviour processes will be reviewed on a termly basis by the Vice Principal Curriculum Innovation, Quality and Performance. An annual report will be produced for SLT and the governing body.

10. REVIEW OF POLICY

10.1 The above policy will be reviewed by the relevant parties after a period of 2 years or as require

11. GENERAL DATA PROTECTION REGULATION (GDPR)

11.1 All policies which are approved by the Senior Leadership Team are in line with our GDPR suite of policies and procedure.

Please read this policy in accordance with the “**Learner Behaviour and Conduct Breach Procedure**”