

SCLS Learner Disciplinary Policy **2022/2023**

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1. Introduction

This policy is for Sefton Community Learning Service staff and learners
This policy outlines the procedure for disciplining learners following misconduct

2. Learner Discipline Principles

- learners are expected to adhere to the code of conduct
- a breach of the code of conduct may lead to a learner being excluded from the programme of learning
- at all stages of the process, learners will have the opportunity to give their views of the situation and raise any points which should be considered before a decision is made
- where it is alleged that a criminal offence has been committed, a legal adviser may accompany the learner to any meetings
- learners have the right at all stages to see material that is kept on file and to request its removal if it is found to be incorrect

3. Learners' Code of Conduct/ Obligations of Learners

3.1 The rules detailed below must be observed by all learners.

We ask you to:

- show a positive commitment to your own development and learning
- attend regularly and punctually
- tell us if you are unable to attend a session
- complete and submit work on time
- participate fully in sessions
- attend scheduled examination/assessment
- ensure all the work you submit for assessment is your own work, referencing information from other sources appropriately.
- co-operate with staff
- respect others, regardless of differences in culture, ability, race, gender, age or sexual orientation
- be aware of Sefton Community Learning Service's Equal Opportunities Policy
- always behave responsibly and safely and comply with the Acceptable IT Users policy.
- take care of equipment, facilities and buildings and show respect for other people's property
- notify us as early as possible if you have a learning difficulty and/or disability which may affect your learning
- bring any concerns which may affect your learning promptly to the attention of your tutor or a member of staff so that appropriate support can be offered
- understand that there is a certain amount of necessary paperwork to be completed by each learner, for our Service to claim funding and record learning
- understand that peer learners progress at different paces

3.2 Misconduct

The following are examples of behaviour which are considered as misconduct and may result in exclusion from your course:

- failure to follow the Health and Safety Regulations
- conduct which prevents, obstructs, or disrupts teaching, learning, or the administration of the business of the Service
- bullying, intimidating or using threatening behaviour or language
- failure to follow the reasonable instructions of a member of staff
- smoking on the premises
- disorderly behaviour or the use of bad or abusive language
- causing damage to learning buildings, equipment, books or furnishings
- interference with software belonging to or used by the Service, or misuse of computer facilities
- drunkenness or the illegal use of drugs
- behaviour or language which is racially or sexually offensive or which is offensive to those with disabilities
- violence or threat of violence
- any illegal act on or off SCLS' premises which may harm the Service
- failure to adhere to Service policies

Where learners are causing disruption to the learning of others, they may be required to leave the classroom and/or site immediately. This action by a tutor or other member of staff dealing with the incident does not constitute expulsion.

4. Disciplinary Procedure

4.1 The following stages constitute the learner's disciplinary procedure:

Stage 1 – Informal Approach

Tutors or other staff will raise issues of concern with students immediately they arise. These concerns will be recorded in a learner's confidential file, for a maximum period of 1 year after the learner has ceased to be active in the Service. The notes will be factual and avoid judgements and personal comments. The tutor or a member of staff will notify the Curriculum Manager of all issues of concern relevant to the case, particularly where behaviour is serious or repeated. These concerns will be recorded on form DP1 and signed by the learner, tutor and Curriculum Manager.

Stage 2 – Curriculum Manager (CM)/ Assistant Manager Involvement

Where the cause for concern continues and no change of behaviour has occurred, the CM or Assistant Manager will talk to the learner about the complaint and decide whether a formal written warning should be given. The warning will be conveyed to the learner in writing and copied to Head of Service. Practical measures to avoid recurrence will be identified and agreed by both the learner and tutor.

Stage 3 – Head of Service’s involvement

Where serious misconduct occurs or the misconduct is repeated after the Curriculum manager’s formal warning, the learner will receive written notice from the Head of Service (or nominated representative), stating:

1. The nature of the conduct and a summary of the evidence for the complaint
2. The learner’s entitlement to have an open hearing and to be accompanied by a friend or colleague
3. Confirmation of the time and place of an interview, if appropriate

After hearing the learner’s case, the Head of Service may, within five days, make one of the following decisions:

1. No further action will be taken
2. The learner will receive a final written warning
3. The learner will be excluded from the class
4. Further investigation is needed before a final decision is made. This may include obtaining statements from fellow class members

4.2 Further investigation

- The Head of Service may adjourn the hearing for a future date within the next ten working days to allow relevant evidence to be made available.
- The Head of Service has the right to exclude the student until the reconvened hearing.
- Copies of any documentary evidence will be provided to the student at least five days before the next hearing
- Written statements which do not reveal the name of the witness will not be considered

4.3 Decision

- The Head of Service (or representative) will write to the learner within five working days with the decision along with reasons
- Refunds will not be issued in the event of exclusion from a programme of learning

In exceptional cases it may be desirable that variations should be made to procedural aspects of this code. The Service may make such variations as it sees fit.

APPENDIX 1

Learner Incident Form (DP1)

This form to be complete by the tutor or member of staff who dealt with the incident. These concerns will be recorded in a learner's confidential file, for a maximum period of 1 year after the learner has ceased to be active in the Service.

Tutor/ Staff Name			
Learner (s) Name			
Venue		Date of incident	
Nature of issue			
Please use reverse if required			
Actions taken to resolve the issue			

Tutor/ Staff signature

Date

Learner Signature

Date

CM Signature

Date