

Learner Behaviour Policy 2018/19

Version 2



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Learner Behaviour Policy. For 19+ Learners

Learners are expected to adhere to the expectations of behaviour as detailed in the learner charter. Where this is not the case then the learner behaviour policy should then come into force. This should only be used where normal classroom management techniques have not been effective.

This policy is intended to apply to situations where learners behaviour goes beyond that which a tutor would normally be expected to manage within the normal classroom management situation. It should not be used to replace normal classroom management practices. To that extent this procedure should only be applied in exceptional circumstances where behaviour does the following;

- contravenes equality of opportunity standards on a consistent basis
- intimidates or undermines the tutor or any other staff in the class and therefore adversely affects the learning of the other learners
- intimidates or undermines the other learners in the class to the extent that their learning is adversely affected.
- consistently undermines good health and safety practice and puts the learner, staff or other learners in a dangerous situation.
- Consistently does not conform to the expectations of the course

In applying the procedure the ultimate aim of the policy should be to ensure that the learner remains in the class and that their behaviour is modified to ensure that it is not repeated. The policy therefore offers opportunities for the learner to continue with their learning at each point in the process.

Stage One. Identification of behaviour.

Where a tutor feels that a learners behaviour falls into one of the categories above and where they have been given opportunities to modify their behaviour, they should first contact the curriculum manager in that area to discuss the circumstances. The following should then apply;

- The curriculum manager should confirm that all reasonable action has taken place to stop the behaviour. It would not be appropriate except in extreme circumstances for this procedure to be enacted for a one-off situation.
- Support should be given to the tutor to help them resolve the situation. If this does not work or if the situation has gone beyond this then the procedure should move to stage 2. It should be noted that where the tutor deems the behaviour to be so disruptive as to be adversely affecting the other learners then the process should be quickly moved to stage 2.
- This should all be logged and the information passed onto the head of service.
- If at this stage the behaviour of the learner is deemed to be so extreme that they should no longer be attending the class then it is possible to move to stage three. This would only be in exceptional circumstances and needs the express permission of the Head of Service.

Stage two. Formal notification of the behaviour to the learner.

At stage two the head of service should now be notified that this is moving to the second stage. This head of service would now take over the procedure.

- At this point the head of service would take over the procedure and become the investigating officer.
- The head of service should contact the learner to discuss their behaviour and to hear the learners version of events.
- Proper recording of the process should take place. Such records should be shared with the learner.
- The learner should be informed that their behaviour in the class is now the subject of a service investigation and part of a formal process.
- If it is confirmed that the behaviour is inappropriate and that the learner understands and acknowledges this then the person dealing with the situation must make it clear that the behaviour must desist. This should be done in writing with a copy to the tutor and to either the head of service or curriculum manager as appropriate.
- The letter should state the nature of the inappropriate behaviour and should give the learner an opportunity to comment on the contents.
- It is important at this stage that the learner is given the opportunity to change the behaviour that is causing the problem and should remain in the class.
- The person dealing with the learner should make it clear that the behaviour is not appropriate and that if it does not change then they may be asked to leave the class.

If the behaviour in the class persists then the procedure should move to stage three.

Stage three. Exclusion of the learner from the programme.

This is the most extreme measure and would only be used where the learner had been given a clear warning that the behaviour they exhibited was not appropriate and that if it continued they would be excluded.

- A letter to inform them that the case had now moved to possible exclusion should be sent to the learner.
- They would be asked not to attend any further classes until the situation had been resolved.
- The investigating officer would put together a case file outlining the procedure that had been carried out with information from the tutor, the curriculum manager and or the investigating officer.
- This information would be sent to the learner to allow them to read the information and to send a response if necessary.
- This should take no longer than 5 working days and should if possible be much shorter. The learner would have 5 working days to respond.
- Once the information had been collated this would be reviewed by a panel consisting of Head of Service, another manager from within the service who had not been involved in the case and a service manager from another area.

- If the case was proved then this would lead to expulsion of the learner from the programme. The panel would also decide whether this was an exclusion from just the programme in question or should be applied across the service.
- The learner would be informed of the decision in writing and given the opportunity to appeal the decision.
- If no appeal is forthcoming then a full refund of the course fee should be issued to the learner.

Appeals procedure.

Following the decision of the panel the learner would have the right of appeal. This could take the form of a written response or the attendance at a meeting. The appeal would be made to the Assistant Director Culture and Lifelong Learning, and a service manager from another service within the service arm.

The appeals procedure would follow a similar format to that of a disciplinary hearing for employees. The service would present its case, this would be followed by a questions from the panel and any questions from the learner. This would be followed by a presentation by the learners with once again questions from the panel and from the service.

The panel would then retire to consider their decision. The decision of the panel could be one of three outcomes;

1. The decision to exclude the learner from the class could be upheld
2. The decision to exclude the learner from the class could be overturned

All parties would be informed of the decision in writing and this would be binding on all parties.