Learner Behaviour and Disciplinary Policy

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Notes	Please also refer to HBXL's Learner Attendance Policy, Anti-Bullying and Anti-Harassment Policy, Conflict of Interest Policy, Maladministration and Malpractice Policy and Complaints, Appeals & Whistleblowing Policy.

1. Aims and Scope

The HBXL Skills Academy is committed to providing a safe, secure learning environment where all learners can achieve their full potential. We believe all learners, staff, subcontractors and visitors have the right to be treated with dignity and respect and will take appropriate steps to ensure our learning environment is free from all forms of unacceptable behaviour.

The aims of the Learner Behaviour and Disciplinary policy are to provide clear guidance that helps and encourage all learners to understand the expectations and maintain acceptable standards of behaviour and academic performance. It is also intended to provide clear guidance to all staff in order to ensure consistent and fair treatment in relation to disciplinary action taken in response to allegations of unacceptable conduct or performance.

This policy relates specifically to learner behaviour. For standards relating to staff conduct and behaviour, please see the Staff Code of Conduct, Tutor Standards and Staff Handbook.

2. Learner Code of Conduct

Our Learner Code of Conduct sets out the basic principles we expect all learners to adhere to.

As a learner we expect you to:

- Arrive on time to all sessions and stay to the end
- Advise us in advance if you are unable to attend
- Ensure you catch up on any recordings and work you have missed before the next session
- Complete all homework you are set and submit it by the given deadline
- Treat all staff and other learners with respect and without prejudice
- Be responsible for your own learning and completion of work including homework, submitting portfolio coursework as required and updating Personal Development Plans (PDPs) and Action Plans
- Advise us if you need any extra help or support to take part in the course
- Comply with the Contract of Cooperation that you signed on enrolment
- Engage with staff to support the various funding milestones
- Comply with our policies and procedures, including health and safety guidelines, as they are there to keep you safe whilst you learn with us
- Raise any concerns through the appropriate channels and allow staff to resolve issues.

- Your responsibilities to others are to:
- Respect other people's rights to safety
- Not hurt or abuse others
- Not threaten to hurt or abuse others
- Respect the rights and dignity of each other
- Use behaviour and language which is respectful and inclusive to all
- Not attend your course while under the influence of alcohol, illegal drugs or other banned substances
- Understand that there is a zero tolerance for behaviour such as aggression, bullying, cyberbullying, harassment or any types of abuse, damage to property and the use of indecent language
- Tell us about bullying or harassment if it happens to you or to other learners
- Talk to us if you are concerned about your own safety or the safety of other learners
- Take part in sharing feedback to your tutor and on surveys about your learning and progression.

3. Unacceptable Behaviour

A broad range of behaviours, events or incidents fall within the scope of this policy. This list contains examples of unacceptable behaviour, but is not exhaustive:

- Not following learner policies, procedures and guidance, including the Learner Handbook
- Not adhering to the law, for example health and safety, discriminatory behaviour or using illegal substances
- Being under the influence of alcohol or drugs while on HBXL Skills Academy courses
- Cheating, plagiarism, collusion or other malpractice when doing course work
- Repeated lateness
- Attendance below 80%
- Failure to complete homework and portfolio work required for the course
- Disruption to the learning and assessment of other learners or the work of staff
- Involvement in anti-social activity
- Rude or offensive language or verbal abuse, including by text, e-mail, social media
- Bullying, victimisation or harassment, including via messaging, email, texting or social media
- Behaviour intended to humiliate, frighten, distress, denigrate, pester or ignore
- Attempts to coerce others into anti-social or illegal activity
- Behaviour that requires an unviable level of staff intervention and time
- Behaviour that does not meet the professional standards expected in the sector
- Sexual harassment including making inappropriate comments, stalking, sending inappropriate/explicit messages/photographs, inappropriate touching, unwanted advances.

Although it may not have been the intention of an individual to cause offence or disruption, it must be recognised that the perception of the recipient may differ.

Learners should report any incidents immediately to either their tutor or the Learner Engagement Manager. A member of staff experiencing unacceptable behaviour from a learner will follow the procedures below.

4. Disciplinary Procedures

Please note that unacceptable behaviour can be dealt with at any stage of the disciplinary procedure depending on the nature of the concern. If the incident is of a particularly serious nature, it is

possible to go directly to Stage 3. The staff member involved should take advice from the Skills Academy Lead. The HBXL Skills Academy will consider whether any incident needs to be referred to the Police or other agencies and will take action accordingly.

Staff will consider the individual needs of learners and adapt the process where there are communication challenges.

Informal Procedure

Where minor incidents occur during sessions, the tutor should discuss these with the learner and agree appropriate action. This discussion should be recorded in writing and the tutor must inform the Skills Academy Lead of the discussion. The tutor may request the support of the Skills Academy Lead or Skills & Quality Assurance Manager during the informal discussion. Where incidents occur outside guided learning sessions, the Skills Academy Lead will carry out the informal discussion.

If the learner declines an informal discussion, an email summarising the matter or concerns will be sent to the learner, together with a reference to our expectations and a further invitation to attend an informal discussion. If this is refused, the formal procedures will be triggered.

For most situations, the procedures that will be followed are as follows:

Formal Procedures

If the learner refuses to attend an informal discussion, there is continued cause for concern or further incidents occur, the formal stages will be triggered. Full records will be kept and minutes of meetings with the learner given to the learner and any staff involved.

A learner may be accompanied by another learner or advocate to support them, at any stage.

Stage 1 – First Meeting

In the event of unacceptable behaviour, the Skills Academy Lead will meet with the learner to discuss the nature of the problem. An action plan will be agreed with the learner and a review date agreed. If, at the review, everything has gone well and the learner is committed to maintaining standards, the matter will be closed.

Stage 2 – Wider Support Meeting

If the matter has not been resolved, a Stage 2 meeting will be called. The aim of this is to bring together the learner and staff involved in supporting the learner to succeed on their course. Generally, two members of staff will attend the meeting and may include the Tutor, Learner Engagement Manager, Skills & Quality Assurance Manager, Skills Academy Lead or others as relevant.

The meeting will identify and agree the actions required to enable the learner to continue on the course, including any support which can be provided.

At the meeting, a review date will be agreed with the learner. If everything has gone well, the matter will be closed. If not, the following options will be considered:

- An extension of the review period
- Exploring whether the course is right for the learner and other options available.

Stage 3 of the procedures will be applied if:

- Stage 2 has not resolved the problem
- Unacceptable behaviour or the allegation of unacceptable behaviour is of a particularly serious nature.

Stage 3 – Disciplinary Panel

The learner may be temporarily suspended from the course. The learner will be invited to attend a Disciplinary Panel. This will consist of the Skills Academy Lead, Skills & Quality Assurance Manager and others as appropriate. The allegations and evidence will be reviewed and the learner asked to comment on them and to present any additional evidence.

If the learner's unacceptable behaviour is found to have been serious, the Disciplinary Panel will normally take one of the following courses of action:

- A final written warning
- Temporary exclusion from attending the HBXL Skills Academy
- Permanent exclusion from the HBXL Skills Academy

The learner will be notified of the outcome via email.

Stage 4 – Appeal

A learner has the right to appeal against any disciplinary penalty imposed from Stage 3.

The learner can appeal against the outcome of the Disciplinary Panel to the Skills Academy Lead. This should be done in writing within 5 working days of being informed of any decision.

5. Review and Monitoring

The Learner Behaviour and Disciplinary Policy will be reviewed bi-annually and at other times in the intervening period as necessary.