

Westminster Kingsway College

Part of the
CAPITAL CITY COLLEGE GROUP

Behaviour for Learning & Employment Policy

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1. Purpose

Capital City College Group (The Group) aims for all learners to have an enjoyable and successful time while studying in a safe environment. Our intention is to support all of our learners in realising their ambitions within a diverse and fully inclusive educational community so that they achieve to their best potential and are prepared for the world of work or further study. Learners are expected to take responsibility for their learning, to work hard to achieve their learning goals, so that they may be able to progress to further studies, including higher education, or training or employment. This framework sets out how we as a college and training provider, and you as students will work together to achieve this.

2. Expectations

The Group expects everyone to uphold the values of Aspiration, Opportunity, Respect, Creativity and Collaboration. In preparing our learners for the world of work and to be good citizens our staff have clear expectations with regard to behaviour; work completion attendance, and punctuality.

Our staff work in partnership with students to reinforce behaviours that recognise dedication and hard work. This framework is written with the expectation of exceptional behaviour from its learners, where this is not the case, our staff are expected to provide the support learners need to make positive changes in their behaviour. In this way, all students will be able to benefit from learning in a safe and positive environment. Expectations of behaviour are set out in the learning agreements which all learners sign at the start of their course. Where students do not meet standards of behaviour, we have found the majority of students respond positively to informal stages and supportive interventions without the need to take formal action. Where necessary, however, the Group will invoke formal disciplinary procedures if needed, including dealing with incidents of criminal activity.

3. Equality, Diversity and Inclusion

The Group welcomes and abides by all statutory provisions on equality, diversity and inclusion and recognises the nine protected characteristics as defined by the Equality Act 2010 as follows:

- Age;
- Disability (including physical or sensory impairments, mental health difficulties, long term medical conditions such as epilepsy, sickle cell, HIV/AIDs and neuro-diverse conditions such as dyslexia and ADHD);
- Gender;
- Gender reassignment (transgender);
- Race (which includes, ethnic or national origins and caste);
- Religion or belief ;
- Sexual orientation;
- Marital or civil partnership .
- Maternity and pregnancy;

The Group will not tolerate any form of verbal, physical, or written discrimination, bullying, victimisation or harassment in respect of the protected characteristics and also on the grounds of socio –economic status.

The Group is committed to ensuring equality of opportunity for all learners. All those who study or work at one of the Group's colleges or its Training Arm (CCC Training) have the right to feel comfortable and productive in what they are doing.

In order to ensure an inclusive environment the Group will not tolerate:

- Racist, sexist, or homophobic comments, slang, graffiti or jokes
- Offensive remarks about someone's appearance, sexuality, beliefs, abilities or age
- Unwelcome physical contact
- Offensive posters, literature or internet material
- Harassment (physical assault or abuse, verbal threats or abuse, unwelcome physical contact, stalking, any name calling, insults, ridiculing, demeaning jokes, comments on personal

appearance or dress that may be perceived as offensive, graffiti against groups or individuals, displaying or distributing materials offensive to other groups).

- Bullying (a form of harassment).

Any learner in breach of the colleges' or Training Arms' equal opportunities policies will become subject to disciplinary proceedings that could lead to permanent exclusion.

4. Scope

Where it is appropriate colleges or the Training Arm will deal with minor breaches of the learning agreement informally through tutors and lecturers and appropriate support staff. This will be done through oral warnings to the students, and will be recorded in the appropriate manner. The College's or Training Arm's formal process begins when an informal warning is not suitable or has not achieved the desired outcome.

This framework applies to all learners [including apprentices] while they are enrolled at the Group, including when on work placements, educational visits, trips and other external activities. It also applies to learners undertaking programmes through partners who have been contracted to provide educational or training services on the Group's behalf.

The Chief Executive is ultimately responsible for the Learning Behaviour Framework, as detailed within the Articles of Government. However, on behalf of the Chief Executive the decision to suspend, exclude or withdraw a learner is delegated to the College Principal or the Managing Director of the Training Arm, who in turn can delegate to a member of his or her management team as appropriate.

5. Communication of the Framework and Agreement

All stakeholders including staff, students and employers will be made aware of the framework and agreement. Learners will be made aware of the framework before or during enrolment, and during induction.

6. Communication and Notice of Meetings

Communication with learners will generally be via their email account or letter if their email address is not available. The Group will aim to provide Learners with:

- a. At least 5 working days' notice in writing of a review meeting.
- b. At least 5 working days' notice in writing of a Disciplinary Hearing and Appeal Hearing.
- c. The outcome of meetings and hearings in writing within 5 working days.

Where the learner is employed, e.g. an apprentice, the employer will also be notified at each stage of the process.

7. Learners Attendance at Meetings

- a. If a learner does not attend a Review Meeting, Disciplinary Hearing or Appeal Hearing reasonable enquiries will be made as to why they are not present and a decision will be made as to whether it is fair and reasonable to go ahead without them or postpone.
- b. If the meeting or hearing does go ahead without the learner being there, a decision will be made in their absence and the Group will aim to inform the learner of the outcome in writing within 5 working days.

8. Use of Personal Data

Communication will be via email or letter when an email address is not available. All outcomes will also be recorded on the Group's central recording system.

The Group will wherever possible seek a learner's consent to share personal data with third parties. However, the Group may, where it is considered reasonable, proportionate and necessary to share personal data with a learner's parent / guardian / carer in the absence of a learner's express consent. The College will have regard to its duties and obligations under the Data Protection Act 1998.

The Group will aim to provide the following to a Parent/Guardian/Carer in instances where the learner is under the age of 18:

- a. An invitation to attend review meetings with at least 5 working days' notice in writing.
- b. Immediate, notification of, when a learner is required to leave the College premises.
- c. An invitation to attend a Disciplinary Hearing with at least 5 working days' notice in writing.
- d. Notification of the outcome of meetings and hearings, where there is further action, in writing within 5 working days.

9. Safeguarding

Where it has been reasonably identified that the Group should not contact the learner's parent/guardian/carer or there are strong indications that such contact may impact on the learner's safety, the Group reserves the right not to involve or inform the learner's parent/guardian/carer of any action taken under this framework (at the discretion of a designated child protection nominee). Please refer to the Group's safeguarding policy.

10. Cases Involving the Police

Where the Group reasonably suspects that a learner may have committed a criminal offence, the matter may be referred to the police.

Depending on the nature of the alleged criminal offence, it may be considered reasonable and appropriate to take immediate action to remove the learner from the site or suspend the learner pending the outcome of the police investigation in accordance with the procedure set out below.

When a learner has undertaken conduct which may have breached the Agreement and the matter is being investigated by the police or is the subject of criminal proceedings, the Group may either:

- a. commence, or continue with its own formal procedures and/or sanctions set out under this framework
or
- b. postpone further action pending the outcome of the police investigation/criminal case

The Group will not be bound by the results of a police investigation or criminal proceedings against a student.

No learner will be automatically dismissed or subject to the Learning Behaviour Framework because he or she has been charged with or convicted of a criminal offence.

11. Support for Learners

When a learner is the subject of a Formal Stage of this procedure, including a Disciplinary Hearing or an Appeal (as appropriate) the learner's personal tutor, teacher, assessor will aim to provide appropriate additional support, Examples of support that may be given include (this is not an exhaustive list):

- a. Discussing concerns with the learner (attendance, punctuality, completion of work, conduct).
- b. Exploring particular reasons or extenuating circumstances including additional needs.
- c. Clearly explaining expectations around improvements and the possible consequences of not addressing these, which may include being withdrawn from their course and/or the College or Training Arm
- d. Devising an action plan with the learner to achieve their targets.
- e. Referring them for support and contacting appropriate external agencies as necessary.
- f. Monitoring their progress.
- g. Gathering feedback from teachers/support staff/assessors/employers in preparation for a review meeting.

12. Support for Learners with Additional Needs

- a. Learners with a learning difficulty or disability, mental health difficulty, vulnerable adults and ESOL learners can access support under this framework by contacting the Additional Learning Support (ALS) or Learners with Difficulties and Disabilities LDD Coordinator.
- b. The ALS/LDD manager will be notified when a learner with a learning difficulty, or disability or vulnerable adult is involved in a Serious Incident or subject to a Disciplinary Hearing.
- c. Reasonable adjustments will be made to the process to accommodate the needs of a disabled learner.

13. Informal Stage

Whenever possible, concerns and issues should be dealt with informally and the learner offered the appropriate support.

Where appropriate, the College or Training Arm may decide to engage the informal stages to deal with concerns and issues on more than one occasion.

The College / Training Arm will keep appropriate records of any informal stage(s) undertaken as it considers appropriate.

The Formal Stage should only be used when informal action has failed or is reasonably considered inappropriate.

14. Formal Stages

The College or Training Arm will use the framework when a learner is alleged to have breached the Agreement.

The framework has 3 Formal Stages as set out below.

A minor breach of the Agreement would usually trigger stage 1 of the Formal Stages. If the concerns are not addressed at Stage 1 the College or Training Arm may decide to progress to Stage 2, Stage 3a and 3b as appropriate.

The College or Training Arm reserves the right to progress automatically to Stages 2, 3a or 3b, where appropriate, without having engaged the previous stages.

Stage 3a and 3b may result in the learner being suspended or withdrawn from the College or Training Arm.

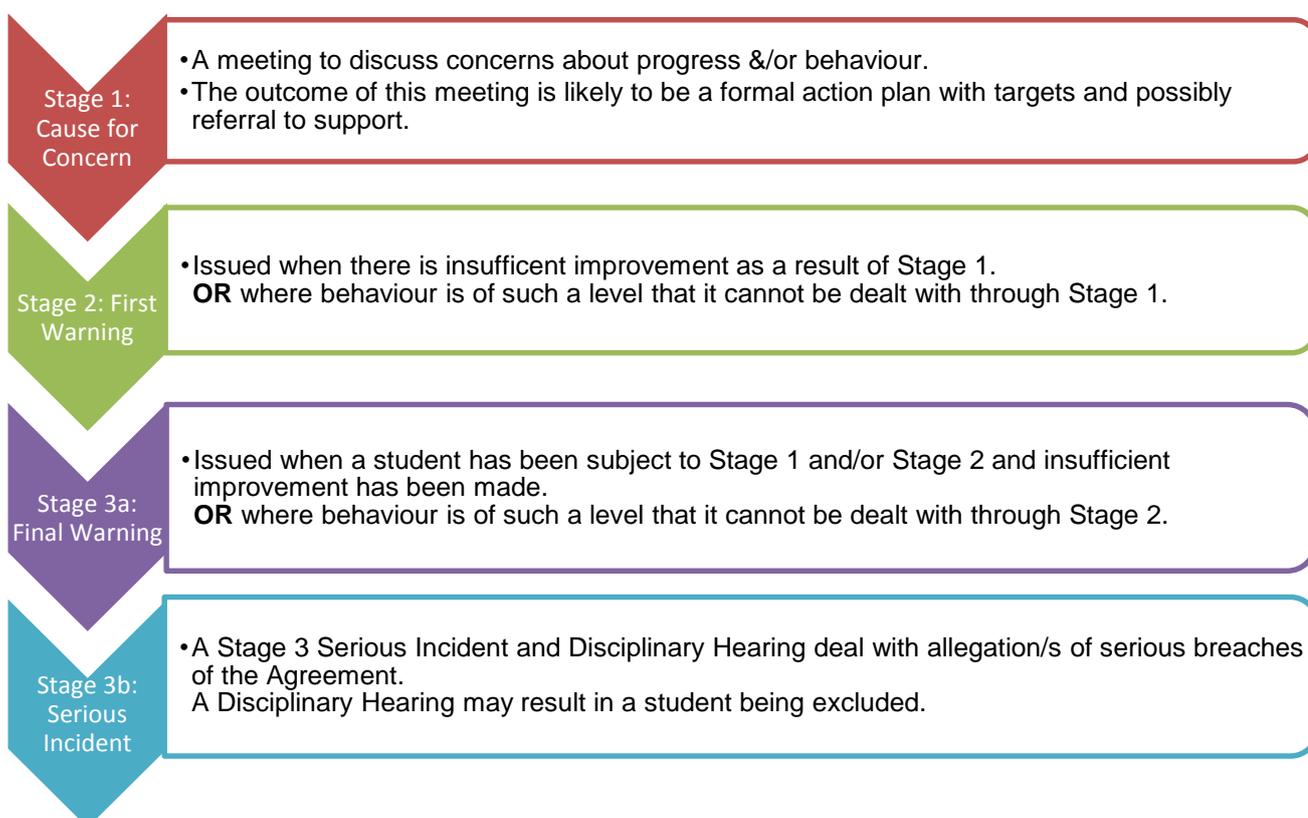
Minor Breaches may include (this is not an exhaustive list):

- a. Poor attendance and/or punctuality
- b. Not handing work in on time
- c. Handing in poor quality or insufficient work
- d. Poor or challenging behaviour such as talking at the wrong time, using mobile phones, inappropriate language
- e. Rudeness towards staff or other students
- f. Failing to follow a reasonable instruction made by a member of College staff

Serious Breaches may include (this is not an exhaustive list,):

- a. Any illegal activity; including carrying, selling or taking illicit drugs, and carrying or using weapons (including college owned equipment used or carried as a weapon). The Group has a zero tolerance policy with respect to illegal activity;
- b. Persistent and serious disruption to the learning of others which the College has already sought to address at Stage 1 or Stage 2 of the process.
- c. Serious actual or threatened violence, verbal abuse or bullying
- d. Using technology to produce, access, send or download violent, obscene or offensive material or participate in cyber bullying.
- e. Discrimination or harassment either directly or indirectly related to a person's race (colour, nationality, ethnic origin), religion or belief, age, gender, marital status, sexual orientation, gender orientation, or disability.
- f. Malicious damage to or theft of Group/staff/student property
- g. Bringing serious harm to the reputation of the College or Training Arm.
- h. Participate in, promote or incite acts of violent or non-violent extremism, terrorism or radicalisation
- i. We need something here about zero tolerance for knives and selling illegal substances

Summary of the Formal Stages:



15. Appeal

Learners have the right to Appeal against a decision to withdraw or exclude them from the course and/or the College/ Training Arm. For information on independent support and guidance in making an appeal please contact the Director of Governance. It is up to each college or the Training Arm to decide how an appeal is heard, however the appeal panel or person considering the appeal must be either a governor, senior postholder or a member of the College / Training Arm advisory board. Panel members must be independent from the original hearing i.e. they cannot have participated within any part of the process that has led to exclusion or suspension.

The College or Training Arm may be willing, in exceptional cases, to consider an appeal relating to any sanction imposed under this framework on the grounds of either unfairness or failure to comply with the relevant procedure.

16. Referral to External Agencies

Learners who have exhausted the Group's internal procedures will be informed of their right to take their case to one of the following agencies depending on the nature of their course; the Education and Skills Funding Agency, Local Education Authority Higher Education Partner or the Office of the Independent Adjudicator (as appropriate).

17. Recording, Monitoring and Reporting

- a. Formal Stage and Disciplinary Hearing records are stored on the Group's central tracking and monitoring system for the duration of their time at college or at the Training Arm
- b. Records of Serious Incidents, Disciplinary Hearings, Exclusions and Appeals are kept for a maximum of 7 years.
- c. Exclusions are flagged on the Group's MIS system for the period of the exclusion.
Withdrawals, exclusions and appeals are monitored for equality and diversity purposes and are reported to the Colleges' management teams, the Group Leadership Team and the Board. Monitoring is used to identify equality & diversity issues and areas of action to address inequalities.

APPENDIX I: AGREEMENT

(Your Rights and Responsibilities)

- The Agreement explains your responsibilities and what you can expect while studying at the College (or at CCC Training)
- The Agreement applies to all enrolled learners and apprentices while at College (or at CCC Training), on work or study placements, educational trips and visits. It also applies to all external situations where your behaviour could harm the reputation of the College (or CCC Training).
- The 'College' includes college staff, service providers and visitors.

The College will aim to give you:

- A learning space that is safe, inclusive and respectful
- Opportunities for you to tell us your views
- High quality teaching and learning
- Support for your learning and progress
- Classes and sessions which start on time. We will let you know about changes or cancellations where possible
- Assignments which are fair, consistent and understood by staff and students
- Prompt return of marked work, that has been handed in on time, with guidance on how to improve
- A full induction to your course and other services provided by the College (or CCC Training) – including policies, procedures and how to make a complaint if we don't meet your expectations, or the requirements of this agreement;
- Clear guidance on what you need to learn in order to be successful on your course. If the assessment shows you need support, we will provide it where possible
- Advice and support on how you find employment or progress onto another course or apprenticeship.

The College (or CCC Training) expects you to:

Be ready to learn and progress. You should:

- Take active responsibility for your learning
- Attend, arrive on time and be ready to learn. If you do not attend your course for four weeks or more, you could be withdrawn from your course
- Complete your work to a good standard and submit it on time, including work missed due to absence. If you do not complete and hand in your coursework you could be withdrawn from your course
- Keep your tutor informed of any difficulties you have which affect your learning, so that we can support you
- Give us feedback on your course/s and other services to help us to make improvements

Be respectful

- Treat all students, staff and visitors with respect, and treat everyone equally
- Follow reasonable requests made by any member of staff
- Use technology (for example mobile phones) in a responsible way and in a way that does not disturb others, infringe on their privacy, disrupt lessons
- Respect other people's property and take care of equipment, resources, and buildings

Be safe

- Behave responsibly and safely at all times when at College (or at CCC Training)
- Wear your student ID at all times around your neck, so that it is visible with the photo showing and give it to any member of staff when asked. You will not be allowed into the College (or any site belonging to the CCC Group) without your ID

The College (or CCC Training) requires that you do not:

- a. Participate in any illegal activity; including carrying, selling or taking illicit drugs or carrying or using weapons (including college owned equipment used or carried as a weapon)
- b. Lend your ID to anyone
- c. Bring visitors into College (or CCC Training) without permission
- d. Distract or disrupt the learning of other students
- e. Copy other students' work or the work of other people or download work from the internet and present it as your own
- f. Cheat in exams
- g. Smoke, drink alcohol, litter, spit or draw graffiti anywhere in the College buildings and grounds, including entrances
- h. Behave in any way that could bring the College (or CCC Training) into disrepute
- i. Threaten or attempt or carry out violence, or verbal abuse including online, against another student, member of staff or visitor
- j. Discriminate, harass, bully (including cyber bullying) or victimise students, staff or visitors
- k. Produce, access, send or download any obscene, offensive, violent, racist, sexist, homophobic, material
- l. Participate in, promote or incite acts of violent or non-violent extremism, terrorism or radicalisation
- m. Behave in a manner that demonstrates disrespect for fundamental British values, including democracy, the rule of law and individual liberty or a lack of tolerance towards others with different faiths and beliefs

This is not an exhaustive list.