

# Behaviour Management Policy

Re-approved	<b>August 2023</b>
Review by	<b>August 2024</b>
Authorised by	<b>C Gavaghan (CEO)</b>

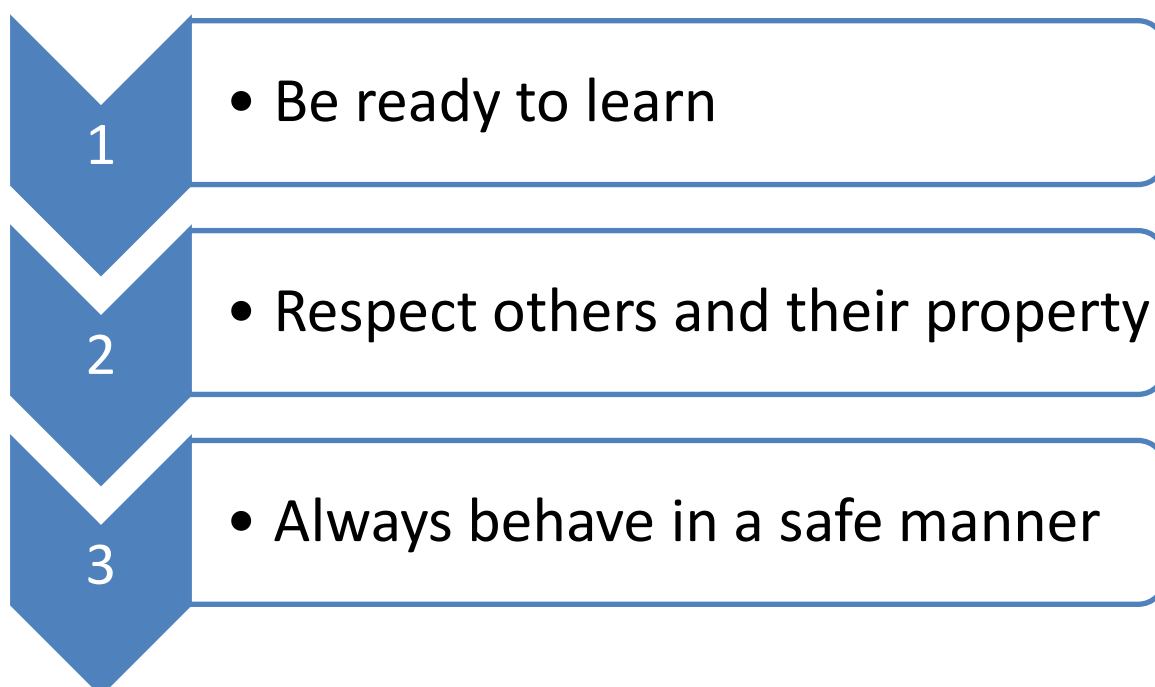
All members of the staff and learners have the right to work and learn in the Centre and feel safe and secure.

## Introduction

At Derwent Training Association (Derwent Training) we are committed to providing a learning environment in which learners can give of their best and participate freely in training activities. Supporting all learners to engage and make outstanding academic and personal progress is central to Derwent Training.

## Embedding positive and preventing negative behaviours

We seek to cultivate the right attitudes and behaviours in all our learners. Essentially there are 3 standards that underpin what we expect from learners.



These standards of expected behaviour are governed by 5 pillars of civility known as the Civility Code. The Civility Code complements the British Values that are embedded into the delivery of the curriculum. The pillars are

1. Care
2. Respect
3. Empathy
4. Culture
5. Expectations

These are expectations common to both staff and learners at all levels at the Centre. As can be seen in the table 1, we all sign up to develop 5 key characteristics within these pillars;

- consideration of others
- esteem for others
- recognise and share feelings of others

- recognise and share experiences from others different from ourselves
- have high expectations of ourselves and others

We are therefore expected to exhibit the following 5 behaviours at all times;

- Be Kind
- Be Respectful
- Listen
- Understand
- Be Proud

The Civility Code applies to all individuals enrolled as a learner. If learners do not follow the Civility Code staff will intervene by referring to the 3 standards;

- **Be ready to learn**
- **Respect others and their property**
- **Always behave in a safe manner**

**Table 1. Civility Code**

	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
	<b>Care</b>	<b>Respect</b>	<b>Empathy</b>	<b>Culture</b>	<b>Expectation</b>
<b>Characteristics</b>	<p><b>Consideration of others</b></p> <p>If I choose to smoke, I will protect the health of others by using the smoking area</p> <p>I will avoid spitting in public areas to help keep the centre clean and free from germs</p> <p>I will talk to people politely and will avoid using foul, abusive, or threatening language</p> <p>I understand that Derwent Training has rules I must follow to make sure everyone can learn and work in a positive and comfortable atmosphere</p>	<p><b>Esteem for others</b></p> <p>I will set a positive example by never bullying or harassing others, including when I am online</p> <p>I will celebrate my own achievements and those of others</p> <p>I will avoid all anti-social behaviour and will never act in a way that could endanger the health or the safety of other people</p> <p>I will help to maintain a clean, tidy &amp; safe centre environment</p> <p>I will be responsible for my health, safety, and well-being</p>	<p><b>Recognise and share feelings of others</b></p> <p>I will do my best to understand how others might feel about things I say and do</p> <p>I will try to see other people's points of view</p> <p>If someone or something upsets me, I will share my feelings calmly and work with staff or other learners to find a solution</p>	<p><b>Recognise and share experiences from others different from ourselves</b></p> <p>I recognise that Derwent Training welcomes learners from a vast range of backgrounds</p> <p>I will celebrate the differences I notice between me and people I meet at Derwent Training</p> <p>I will do my best to learn more about the cultures and religious beliefs of others</p> <p>I will celebrate and use my freedom to choose to grow and be heard</p> <p>I will play an active role in the centre life and community</p>	<p><b>Have high expectations of ourselves and others</b></p> <p>I will only submit work I have completed myself</p> <p>I will only miss classes in an emergency or if my employer authorises my absence in advance</p> <p>I will complete all my work on time and attend all my exams</p> <p>I will have a successful and positive probationary period</p>
<b>Behaviours</b>	<p><b>Be Kind</b></p> <p>I will say hello and be friendly to people I meet at the centre</p> <p>I will avoid doing anything to disrupt other learners when they're learning or taking part in activities</p> <p>I will communicate with others positively, including when I am online, and be careful not to make hurtful or unkind comments</p>	<p><b>Be Respectful</b></p> <p>I will be respectful towards all, and will avoid making assumptions or judgements based on someone's gender, age, race, sexuality, ethnicity, religious beliefs or disability, gender assignment or maternity status</p> <p>I will follow the reasonable instructions of any member of staff</p> <p>I will respect the property of Derwent Training and of other learners and neighbours</p>	<p><b>Listen</b></p> <p>I will take part in classes and activities in a positive way</p> <p>I will get the most from my classes and stay safe by listening to instructions carefully</p> <p>I will listen to the views of other learners and take part in constructive discussion when someone's opinion is different from mine</p>	<p><b>Understand</b></p> <p>I will strive to understand the views and lifestyles of other learners</p> <p>I understand the health risks of taking drugs or drinking alcohol and will not do so at or before attending Derwent Training</p> <p>I understand the value of independent learning, good attendance, punctuality, and positive behaviour in ensuring my success</p> <p>I will seek support, if and when needed and use Derwent Training services</p>	<p><b>Be Proud</b></p> <p>I will always behave in a way that reflects positively on my employer and Derwent Training</p> <p>I will treat the centre and its facilities well, so it can continue to provide opportunities for current and future learners</p> <p>I will stretch myself to achieve my potential and exceed my targets</p>
<b>Key Commitments</b>	<p>Provide a safe and secure environment</p> <p>Offer us all the help we need to choose the right course through a variety of free and impartial information, advice, and guidance before and during our course</p> <p>Discuss our progress with us during regular one to ones</p>	<p>Introduce us to the centre and to specific courses in a thorough and well-planned way</p> <p>Start classes on time and let us know about changes to timetables in good time</p>	<p>Listen to and acknowledge the 'learner voice'. Respond quickly to our enquiries and requests based on our individual needs</p>	<p>Ensure the Civility Code is actively promoted to all learners and staff</p> <p>Give us independent and confidential careers/employment and study advice to enable us to fully explore our options for the future</p>	<p>Provide high quality teaching &amp; learning to help us achieve our potential through a variety of teaching styles</p> <p>Give us an assessment and assignment programme that enables us to plan our studies</p> <p>Provide a range of services to support our studies, including where to go if we have a problem</p>

### ***Criminal Activity***

Derwent Training reserves the right to report potentially criminal activity to the police, and/or to advise victims of such activity of their right to do so. If an incident is of a criminal nature, we may defer disciplinary action pending the outcome of criminal proceedings. In exceptional circumstances we may also take the decision to suspend a learner until the outcome of the proceedings is known.

### ***Anti-bullying and Harassment***

Derwent Training has a zero-tolerance policy towards bullying and harassment, both of which are likely to be misconduct and/or gross misconduct which could lead to permanent exclusion.

### ***Social Media and Technology***

Derwent Training has a zero-tolerance policy towards the misuse of social media which bullies, harasses, slanders or any other activities which contravene basic human rights. Derwent Training is equally committed to educating learners to make the right decision and have therefore provided guidance on the use of social media.

### ***Preventing Violent Extremism***

Derwent Training has a rich history of supporting social inclusion, celebrating diversity, and ensuring freedom of speech. Derwent Training acknowledges that in order to safeguard this balance we must work to support the prevention of violent extremism and encourage the development of dialogue and debate.

Our approach to preventing violent extremism is based on the duties on Derwent Training under the Counterterrorism and Security Act 2015. This requires Derwent Training to '*in exercise of its functions, have due regard to the need to prevent people from being drawn into terrorism.*' In addition, the 2015 Act also requires Derwent Training to have '*regard to any such guidance in carrying out of that duty,*' which for Derwent Training is the *Prevent Duty*. Derwent Training will also take into account any subsequent guidance or updates issued pertinent to the above in discharging its responsibilities.

Derwent Training has a comprehensive Prevent Action Plan in place to ensure that it discharges its responsibilities effectively and as required. Regular monitoring of the progress of the plan will also support Derwent Training in the discharge of our statutory responsibilities.

## **Disciplinary Procedures**

Ideally, we would want to avoid using formal procedures with any learner. The use of formal procedures should be by exception not as a rule.

The informal procedures are there to point out to a learner that their actions do not fit with expected behaviour and to support them to change their behaviour in future.

Unfortunately, it may become necessary for disciplinary action to be taken if learners consistently fail to meet expected standards. These circumstances may include:

- frequent absences without satisfactory explanation
- failure to complete work by the set deadline
- anti-social behaviour
- breaches of Derwent Training rules at the centre, during training time, or on training activities
- poor effort and/or achievement significantly below minimum target
- consistent failure to attend classes

The first line of action will be through the learner's allocated trainer. The trainer can be made aware that a learner is in difficulty in various ways:

- Report of an issue from a member of staff
- Weekly reports on attendance
- Monitoring of progress on achievement, progress, and engagement

Negative behaviour can be categorised as either misconduct or gross misconduct. Failure to demonstrate acceptable behaviours is a breach of the Civility Code which would be deemed to be either.

### **Misconduct**

The following are examples of misconduct (at all levels of seriousness), which all result in disciplinary action being taken.

- A failure to follow the reasonable instructions of a member of staff
- Smoking in non-smoking areas
- Any cheating or copying of the work of other learners
- The use of foul, abusive, or offensive language
- Disrupting any class or any other training activity
- Harassment. Examples of harassment include:
  - Mimicry or ridicule
  - Derogatory name-calling, insults or embarrassing remarks or jokes
  - Graffiti or other written insult
  - Distributing or displaying offensive material
  - Threats or verbal abuse
  - Unwelcome or offensive attention
  - Unwelcome physical contact
  - Ignoring or excluding an individual by talking only to a third party in order to isolate the other person
  - Spreading malicious rumours
  - Attempts to incite others to behave in a harassing, intimidating or offensive manner

- Sexually explicit or derogatory statements or sexually discriminating remarks
- The use of offensive pornographic pictures
- Demands for sexual favours
- Homophobic or transphobic comments, graffiti, or remarks
- Ridicule of an individual or group because of cultural differences (e.g., food, music, dress etc.)
- Any behaviour which could bring Derwent Training into disrepute
- Any unauthorised interference with software or data belonging to, or used by, Derwent Training

### **Gross Misconduct**

Any particularly serious cases of misconduct may be treated by Derwent Training as gross misconduct. As well as those appearing above, the following are examples of gross misconduct:

- Academic plagiarism
- Deliberately, or by gross negligence, causing damage to Derwent Training buildings, equipment, books or furnishings or any property of others
- Any theft of property or any other dishonest acts
- Any drunkenness or the use, possession, or supply of any illegal drug on Derwent Training premises and surrounding area or on any activity associated with Derwent Training
- The use of any violence or threat of violence towards any person
- Any illegal act, which may have an adverse effect on the work of Derwent Training or on other learners
- Displaying or distributing pornographic materials or the downloading of pornographic or offensive material from the internet

## **Forms of action**

### **Informal stage**

All staff are required to take initial action to prevent misconduct and support learners to engage with learning and others at Derwent Training. Where a minor occurrence of misconduct arises, the allocated trainer should politely inform the learner that the behaviour is not at a standard expected and ask them to change their behaviour referring to the one or more the statements

- **Be ready to learn**
- **Respect others and their property**
- **Always behave in a safe manner**

## **Formal stages**

Where informal measures fail to remedy a problem or series of problems, 3 formal stages may be invoked.<sup>1</sup>

Repeated or serious misconduct will lead to formal action. The learner will always be given an opportunity to provide an explanation for their conduct and this will be taken into account. The severity of the misconduct would dictate where to start the procedures.

The learner will be advised in writing of:

- The date and time of the hearing
- Details of the complaint
- The learner's right to attend
- The learner's right to representation (and if they are to be accompanied that they should inform Derwent Training of the name and status of the person)
- The fact that witnesses will be called if appropriate
- The fact that the hearing may proceed in their absence, unless they are ill

### **Stage 1**

- The allocated trainer will arrange to meet the learner at the earliest opportunity<sup>2</sup>. The learner may be accompanied by a friend or a fellow learner
- Findings from previous investigations may be reviewed as part of this process
- The outcomes from this meeting may result in an official verbal warning or no action
- A record will be made in writing on the Disciplinary Report Form, signed by the allocated trainer and the learner and kept on the learner's file. A copy will be sent to the employer and to the learner
- If appropriate, the relevant staff may start reporting procedures to review progress. The review between the allocated trainer and the learner will take place within 3 working weeks. If there is no satisfactory outcome, proceedings will move to the second stage

### **Stage 2**

Learners will be asked to attend a Stage 2 disciplinary interview with the Quality Manager or Business Support Officer, with at least 5 days' written notice.

The following will be invited to attend:

- The trainer and/or Investigating Officer
- The learner's parents/guardian (if under 19) and employer/sponsor
- The learner may be accompanied by a friend or a fellow learner

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<sup>1</sup> In the event of serious cases of misconduct, formal procedures may proceed at either Stage 2 or Stage 3 without written notice.

<sup>2</sup> There must be 2 members of staff present at the meeting to safeguard the member of staff and the learner



After hearing the learner's case the allocated Manager may:

- Issue a formal written warning; and/or
- Implement practical measures to avoid recurrence; or
- Suspend the learner pending a 3rd stage interview<sup>3</sup>; or
- Decide that no disciplinary sanction is appropriate

A formal written warning will be sent to the learner within 5 days of the interview with a copy to parents/guardian (if under 19) and employer/ sponsor.

- This will give brief reasons for the decision and outline the consequences of further misconduct, which may result in suspension or expulsion
- A copy of the Disciplinary Report Form will be kept on the learner's file. It will be signed by the learner
- It will be made clear to the learner how long the written warning will remain on file for (typically twelve months) and any implications that may arise such as conditions on progression.
- At stage 2, a file note referring all enquiries about the learner to allocated Manager will be made on the management information system
- In the event of suspension, the CEO will be informed immediately and briefed about the circumstances. The learner will be sent a letter confirming suspension.

### **Stage 3**

In the event of an alleged case of gross misconduct a learner may be suspended from Derwent Training immediately by an allocated Manager pending a formal stage 3 disciplinary hearing.

The allocated Manager will investigate & where necessary recommend exclusion to the CEO.

The Disciplinary Panel is a group consisting of the CEO, the allocated Manager and trainer.

- The learner will be given at least 5 days written notice and will be entitled to be accompanied by a friend or fellow learner
- His/her parents or employer/sponsor will be invited to attend, if appropriate and relevant.
- Notes from the interview will be made in writing to be kept in the learner's file.

The learner will be sent written notification of the decision of the CEO after the interview. This will include details of the right to appeal against a recommendation for permanent expulsion, withdrawal from the course or formal suspension.

The decision may be:

- That no further disciplinary action should be taken or
- That the learner should be:
  - o Permanently excluded or

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<sup>3</sup> The CEO's office must also be informed immediately when a learner is suspended for any reason.

- o Asked to withdraw from the course or
- o Formally suspended for a fixed period
- o That a lesser sanction be supplied.

It will be made clear to the learner how long the written warning will remain on file (typically twelve months) and any implications that may arise such as conditions or bars on progression or re-enrolment. Details of the outcome of the stage 3 interview will be sent to the Chair of Directors for information purpose only. At stage 3, a file note referring enquiries to the relevant an allocated Manager will be made on the management information system.

## **Appeals**

All learners have a right to appeal against the decision to expel or suspend them.

The request should be made in writing and lodged with the CEO's office within 10 working days of the decision. If no appeal is made within the time allowed there will be no further opportunity for a learner's case to be heard at an appeal interview. Disciplinary appeals hearings are chaired by the Chair of the Board of Directors.

The CEO's office will inform the learner, giving 5 working days' notice of the following –

- The date and time of the hearing
- The learner's right to attend
- The learner's right to representation
- The fact that the hearing may proceed in their absence
- Details of college staff who may be at the hearing

An accurate and up to date file of disciplinary case history leading to the final stage must be provided to the Chair within 24 hours of the Notice of Appeal being received.

The final decision of the Chair will be reached within 5 working days of the appeal interview and confirmed in writing to the learner, parents/guardian, and employer/sponsor, if appropriate and relevant.

**Standard templates are available for all letters and forms to record actions taken. These are held on the staff drive.**