



ADULT EDUCATION WOLVERHAMPTON

Student Conduct Policy and Procedure

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1.1	2013	New document - Challenging behaviour
2.1	2014	Revised document
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4.1	2022	Amended to be fully inclusive and apply to students with an EHCP and/or SEND.
5.0	Nov' 2023	Full review

STUDENT CONDUCT POLICY AND PROCEDURE

1. Policy

Adult Education Wolverhampton (AEW) is committed to ensuring a safe environment for both staff and students and has a duty of care to students, staff, and visitors. The organisation has policies and procedures in place to help support and protect everyone associated with the day to day running of the business.

Additional guidance and responsibilities associated with young people with an Education, Health Care Plan (EHCP) are outlined here to ensure equality of educational opportunity.

AEW believes that helping to manage behaviour positively is important to ensure student progress and success. This is achieved by ensuring that:

- students are treated as individuals with individual support needs,
- promote fair treatment of all, regardless of their race, gender, age, disability, sexual orientation, religion or belief, gender reassignment; marriage and civil partnership; pregnancy and maternity status.
- provide a framework where behavioural issues can be resolved within a positive and supportive environment.
- ensure AEW maintain a conducive learning environment and a positive place for everyone who chooses to study and work here.

AEW believes that any sanctions should be applied fairly, following the guidance for an inclusive disciplinary if applicable.

All staff and students have a responsibility to behave in a manner that is expected for a work environment, to remain vigilant and act quickly to report any behaviour that is of concern.

By signing the learning agreement students are accepting the terms and conditions of this procedure.

2. Scope and Purpose

This procedure applies to all students in the following situations:

- at a venue used by AEW
- on an organised trip, placement or event
- when behaviour outside of AEW has a detrimental impact on other people attending the organisation, e.g. stalking, cyber-bullying

AEW Student Charter outlines what is expected from AEW and what is expected of our students in return.

AEW promotes and exemplifies fundamental British values and expects all students, staff and visitors to demonstrate democracy, rule of law, individual liberty, mutual respect and tolerance of different beliefs and faiths in their conduct.

3. Issuing a caution

Some students might find it initially difficult to settle into a learning environment, or to manage their communication appropriately in an adult education environment.

A caution is to help the student see that a particular behaviour should not continue while they are at AEW. It is designed to help them make better choices about the way they are communicating.

A student with Special Educational Needs and Disabilities (SEND) may need additional support to understand what is required and advice should be sought in how to best facilitate working through behavioural issues in a supportive and positive manner.

It may be beneficial to discuss the caution to the person who supports the student at home. The purpose of this is:

- to establish a clear path of communication
- a consistent approach towards the behaviour can be agreed
- ensure that everything that can be done, is done, if the behaviour of concern escalates.

The student may ask you not to talk to anyone; this may indicate some difficulties at home or flag up a safeguarding concern (refer to the AEW Safeguarding and Prevent Policy and Procedure).

The purpose of any warning is to correct a behaviour so that it is suitable for the workplace.

4. The Formal Warning Process

There are 4 stages to the formal warning process.

The student is entitled to be represented at every stage. This will help to ensure that they understand the process and consequences of their behaviour.

Students with a SEND or EHCP

It is essential that any proposal to issue a formal warning to a student with an education, health, and care plan (EHCP), is done so with full support. The local authority SEND team responsible for maintaining the EHCP will need to be informed, in writing, that the student is having difficulties. The local authority should be given the opportunity to attend meetings or an emergency review if the intervention cannot wait until the EHCP annual review date.

The student with SEND may not understand the consequence of a formal warning. Every effort must be made to explain, using alternative formats if necessary, and check the level of understanding. Support from their place of home should be involved, as appropriate. Wherever possible, coaching techniques should be used with the student to negotiate an action plan, with clearly laid out and agreed instructions and support for improvement, within a timescale.

All students will be given copies of any notes or records of interviews and a copy of this procedure. AEW should make every reasonable effort to ensure that the student understands the process, their entitlement and their responsibilities.

The seriousness of the breach of conduct will determine which stage is the starting point of the warning process. (See appendix 1)

Stage 1 - Verbal warning

- a. The member of AEW staff involved must raise the issue of misconduct/behaviour with the Teaching Learning and Assessment Manager (TLAM) or Manager responsible for that area of provision.
- b. The Manager will discuss the matter and agree the course of action with the member of staff.
- c. If a formal verbal warning is agreed in principle, then the student should be invited to attend a meeting.
- d. If the student has an EHCP, the local authority responsible, and/or home support should be informed and invited to support the student at a face-to-face meeting as appropriate.
- e. The meeting must be recorded and reported (e.g. Incident Report) to the Manager responsible for that area of provision.
- f. Information must be factual and free from judgements and personal comments. Documentation must be signed by those in attendance, dated and must be treated as confidential.
- g. An accessible support plan should be developed with the student (and their home support if applicable), the aim of which is to successfully manage any further behaviour of concern.

Stage 2 - Written Warning

1. Where a more serious breach of behaviour has occurred, or a behaviour of concern following a stage 1 warning has continued, the TLAM responsible for that area of provision will consult with the Curriculum Manager where a course of action will be agreed.
2. The TLAM will arrange to meet with the student to discuss the behaviour of concern. The student may be represented.
3. If the student has an EHCP, the local authority responsible for the plan must be informed and offered the opportunity to support the student at a face-to-face meeting. An emergency EHCP review may be necessary. Appropriate support methods or referrals should be explored and implemented.
4. Meeting notes should be produced in a format that is accessible to the student. The agreed actions should be circulated to the student and interested agencies involved with the care of that student so that the student receives a consistent level of support.

Result of meeting may include:

- Agreed actions which will be recorded and kept on file for one academic year
- Formal written warning retained on file for one academic year

Stage 3 - Final Written Warning

Where Stage 2 actions are unsuccessful, or an emergency where a gross breach has occurred, the TLAM will liaise with the Curriculum Manager who will consult with the Senior Manager (Quality and Curriculum) with minimum delay.

If the student has an EHCP, the local authority responsible and their home support must be informed that the agreement has broken down and that any previous measures put in place have been unsuccessful.

In a format that is accessible to the student, notification will be given to inform them (their home and the local authority if appropriate) of:

- The allegation and evidence to substantiate the allegation, including a copy of the guidance
- A request to hold a meeting giving the venue, time and date of a meeting
- The student's entitlement to have another person present
- Details of who will be on the panel
- Details of the support already in place for the student and an agenda item to discuss any other support, if required.

The Curriculum Manager will make their decision known which may result in:

- No further action taken
- The student receiving a final written warning
- Further investigation taking place before a final decision is made

The Curriculum Manager will confirm decisions, and reasons for decisions, in writing to the student within one week, which will be implemented with immediate effect.

Stage 4 - Suspension/Exclusion

If the support to improve is unsuccessful following the final written warning, the Senior Management Team, will review the evidence with the appropriate team, and reserve the right to suspend or exclude the student. The final decision is made by the Deputy Head of Service.

5. Appeal

The student will have the right to appeal within one week from receipt of the decision of Stage 4, stating any grounds for appeal to the Deputy Head of Service. Any grounds for appeal will be considered; however, the Deputy Head of Service's decision is final.

Appendix 1

Breaches of acceptable behaviour

The following lists give examples of what might be considered minor, serious or gross breaches of acceptable behaviour. Persistent minor breaches may come to constitute a serious or even gross breach.

1. MINOR BREACH

A minor breach of behaviour would usually be dealt with directly by the relevant member of staff, who should exercise their judgement when making decisions. This would involve discussions between staff member and learner and may involve a verbal warning and / or a letter to the learner.

Examples:

Academic

- Repeated lateness or unreported absences
- Failure to submit course work
- Failure to comply with reasonable instructions
- Behaviour which disrupts learning

General Conduct

- Parking in disabled parking bays
- Swearing
- General rudeness
- Inappropriate use of emails and social networking
- Tail-gating (allowing a third party to enter quickly behind the user before doors close) when entering card accessed areas of AEW

2. SERIOUS BREACH

A serious breach of behaviour would normally justify a final written warning and, if repeated, could lead to exclusion. However, depending on the seriousness of the complaint, this may result in suspension while an investigation is carried out.

Examples:

- Continued Disruptive behaviour
- Failure to comply with previous sanctions or persistent breaches of a minor nature
- Breach of Equality and Diversity, Anti Bullying – including cyber bullying- and Harassment policies
- Deliberate minor damage to AEW property
- Behaviour which causes unacceptable loss or damage to AEW or other learners' property
- Deliberate breaches of health and safety regulations
- Abuse of email, internet access or social networking sites (ICT Acceptable user policy)
- Selling or being under the influence of alcohol or illegal drugs or substances
- Threatening, foul or offensive language, gestures or behaviour
- Discriminatory behaviour, language or gestures towards others because of their sexual orientation, racial group, gender, disability, marital status, political opinion, age, religious belief or whether or not they have dependants (this applies within or outside the college premises).

3. GROSS BREACH

A gross breach of behaviour may lead to immediate suspension followed by exclusion either temporary or permanent from AEW via a formal disciplinary panel.

Examples:

- Serious and/or persistent breaches of the Equal and Diversity Anti Bullying and harassment policies.
- Theft
- Fraud
- Cheating during coursework/assessments/examinations, including plagiarism
- Knowingly providing false information to AEW
- Unauthorised use of AEW premises, equipment or documents
- Failing to disclose details of relevant criminal convictions when required to do so as part of the entry requirements of a course
- Violence, which can take many forms, for example,
 - Verbal abuse and threats
 - Discrimination or harassment on any basis
 - Physical force or abuse
 - Malicious damage to property
 - Fighting or assault deliberate damage to AEW premises
 - Actions which cause injury or impairs safety of others
- Failure to comply with previous sanctions or persistent breaches of a minor/serious nature
- Misuse, possession or distribution of illegal drugs or substance
- Interference with Safety equipment