

Learner Behaviour and Disciplinary Procedure

Document revision history

Document Reference	Version	Introduced/Changed by	Summary of changes	Approval date	Date of review
	1	Tracey Robinson	New Document	6/01/2023	6/01/2026
Ex17a	2	Jean Sullivan	Review of content	01/05/2024	01/05/2025

1. Purpose

The purpose of the Learner Behaviour and Disciplinary Procedure is to enable a positive learning environment by ensuring that good standards of behaviour are upheld. Gen2 staff will promote and expect the highest standards of behaviour, in order that learners can participate in a supportive learning environment.

In some circumstances formal disciplinary action may need to be undertaken when all other informal supportive mechanisms have been exhausted or when an offence is serious enough to necessitate immediate formal action and ultimately result in removal from programme.

This procedure provides a framework for managing behaviour and the steps to be followed in the event of a learner being involved in an incident of unacceptable behaviour or unauthorised absence.

1. Scope

All learners on programmes directly provided by Gen2 are in scope of the procedure

2. Roles and Responsibilities

Learners have a responsibility to behave in accordance with the policy and our PROUD behaviours (see below) e.g.

- Treat all staff and learners at Gen2, the wider community and employers with respect
- Take responsibility for their own learning in centre and at home and to aspire to reach their potential
- Behave in a considerate and thoughtful way
- Attend regularly and punctually, reporting sickness in the correct way
- Respect Gen2's environment

All staff – responsible for role modelling good behaviour and being ambassadors of our PROUD behaviours. All staff have immediate authority to challenge poor behaviour and take an appropriate course of action to maintain good behaviour as appropriate.

Learner Behaviour and Disciplinary Procedure

Delivery staff – In addition to the above, delivery colleagues are responsible for initial disciplinary reporting and/or dealing with disciplinary action.

Centre/Curriculum Managers – In addition to the above, Centre and Curriculum Managers are responsible for the issuing for appeals up to removal from programme.

SMT Members – In addition to the above, SMT members are responsible for taking part in removal from programme and appeals processes.

Managing Director/Director of Education and Training – In addition to the above, they are responsible for appeals against removals from programme.

Student Services – responsible for the facilitating and recording of this process. In addition, Student Services employees may accompany learners in all stages of the process (if required).

3. Our Behaviours

The Gen2 Behaviours are:

- **PROUD:**
 - **P**rofessional
 - **R**espectful and Kind
 - **O**utstanding Commitment
 - **U**nbiased and Trustworthy
 - **D**edicated and Team Spirited

We expect all learners and staff to model these behaviours at all times.

4. Poor Behaviour

Examples of poor behaviour to be dealt with under the disciplinary procedure (not a definitive list):

- Persistent unauthorised student absence or lateness
- Failure to submit work (on time or not at all)
- Poor behaviour or performance e.g., being disruptive or unruly
- Failure to comply with an appropriate instruction from a member of staff
- Causing a health or safety hazard
- Non-compliance with rules and policies
- Not displaying the Gen2 ID badge
- Failure to participate in scheduled reviews or lessons
- Inappropriate use mobile phones or electronic devices e.g. use of mobile phones in lessons when not requested to do so.
- Misuse of programme materials

Examples of poor behaviour potentially gross misconduct and dealt with under the disciplinary procedure include (not a definitive list):

- Assault or violence
- Intimidation or threatening behaviour/language
- Bringing Gen2 into disrepute
- Bullying and harassment including those related to discrimination
- Being under the influence of drug or alcohol when on Gen2 premises
- Vandalism
- Providing untrue or misleading information
- Theft, robbery or fraud
- Abuse or misuse of equipment
- Serious breach of health and safety
- The organisation of, or glorification of criminal activity, terrorism or extremist behaviour

5. Bullying

Bullying is behaviour by an individual or group, repeated over time, that intentionally hurts another individual or group either physically or emotionally. Bullying can take many forms (for instance, cyber-bullying via text messages, social media or gaming, which can include the use of images and video) and is often motivated by prejudice against particular groups, for example on grounds of race, religion, gender, sexual orientation, special educational needs or disabilities, adoption status, being in care or has caring responsibilities. It might be motivated by actual differences, or perceived differences

Gen2 maintains a zero-tolerance approach to any form of bullying, whether online and/or in person, including sexual harassment and violence, racist, sexist and homophobic (or any other trans-related phobias) behaviour and abuse.

Low-level disruption and the use of offensive language can in itself have a significant impact. This behaviour will be challenged and should not be dismissed as banter or horseplay and it can also lead to reluctance to report other behaviour. Early intervention can help to set clear expectations of the behaviour that is and isn't acceptable and help stop negative behaviours escalating.

Students and staff are encouraged to report any concerns or issues, however small, to a member of staff and/or the Safeguarding Team so that appropriate and timely action can be taken and relevant support offered. The Safeguarding Team will always be informed of concerns raised.

6. Disciplinary Process Principals

1. All learners have the right to be told why their behaviour does not meet an acceptable standard or if a policy has been breached and made aware of what they need to do to meet the required standard at every stage of the process.
2. If employed, Gen2 will inform and involve your employer throughout the process.
3. Gen2 reserves the right to involve the Police. This procedure may run concurrently or independently of an employers' disciplinary procedure or police investigation/outcome.
4. All matters will be dealt with in a confidential matter, that is fair, consistent and transparent.

Learner Behaviour and Disciplinary Procedure

5. Modification of behaviour and improvement is the intent at all stages of the procedure however it could be deemed necessary for removal on programme to occur. Even if this was the case the learner will be given advice for the future.
6. All paperwork relating to any investigation/appeal must be passed to Student Services for filing. For data protection reasons, copies of the paperwork relating to the investigation/appeal should be sent to Student Services.
7. If the learner involved is under 18 or have learning difficulties and/or disabilities, then a parent/carer can be kept informed throughout all stages of the process. Reasonable adjustments will also be considered as required.
8. It should be remembered that inappropriate behaviour or conduct may occur as a result of the learner experiencing personal difficulties, which the learner may or may not have disclosed. Any learner who behaves inappropriately should be treated with respect and support.

7. The Disciplinary Process

Where it is established that the learner has not met the behaviours expected, the stages of the procedure are as follows. It is important to note that depending on the seriousness of the incident/s the process can be started at each stage:

1. Informal stage – Recording on One file or BUD (learner online portal)
2. Stage 1 – Action Plan setting
3. Stage 2 – Formal Meeting
4. Stage 3 – Removal from programme

RECORDING AN INCIDENT/UNACCEPTABLE BEHAVIOUR/ UNAUTHORISED ABSENCE

Minor infringements of discipline should be dealt with directly by the learner's trainer/assessor. However, repeated, or patterns of, poor behaviour or more serious matters should be dealt with in accordance with the procedure and this recorded on a Learner Disciplinary Report Form from the Gen2 SharePoint site.

All staff can report poor behaviour (e.g. after witnessing an incident in the canteen) by contacting the learners tutor. The tutor will then deal with the matter in accordance with this procedure.

INFORMAL STAGE

This stage is aimed at driving progression towards improvement and success. At the informal stages, any repeated or patterns of should be recorded on Learner Disciplinary Report Form and uploaded onto the OneFile notes of the learners account (if applicable).

STAGE 1 ACTION PLAN SETTING

If then further incidents occur, or if the matter is sufficiently serious, the tutor should inform the employer and update (or complete one if this is the first time the matter is raised) the Disciplinary Report Form on OneFile (if applicable).

Learner Behaviour and Disciplinary Procedure

The tutor will meet with the learner and discuss the issue and an action plan (based on individual learner with timescales set) will be put in place and the poor behaviour will be discussed at the progress review.

STAGE 2 FORMAL MEETING

If there is insufficient improvement in the learners behaviour, or if the matter is sufficiently serious, the tutor (with support from Student Services) will invite the employer and learner to a meeting.

At the meeting the issue and associated evidence will be discussed and a joint action plan with timescales will be agreed. The learner will also be informed that they will be escalated to stage 4 of the process and be at risk of removal programme.

A letter confirming will be sent to the learner by the tutor with support from Student Services.

STAGE 4 REMOVAL FROM PROGRAMME

It may be determined that removal from programme may be required. This is usually when a learner's conduct continues to be unsatisfactory despite previous actions or is so serious that the matter is considered gross misconduct (following an investigation).

If this is the case, Student Services will arrange for a panel to meet and discuss the potential removal. The Panel will consist of at least one member of SMT and a representative from an employer (if appropriate).

A member of Student Services will be present to take notes of the meeting.

Following consideration of the evidence presented it may be determined to:

- a) remove from programme
- b) deal with the matter under other stages of this procedure
- c) decide there is no further course of action to be taken

INVESTIGATION

In some cases, further information than that provided by any preliminary enquiries will be needed. In these cases, an investigation will need to be carried out.

The purpose of the investigation is to establish the facts, to ask the learner for an explanation, to determine what happened and to obtain sufficient information to decide what action to take i.e., formal or informal action, welfare support or no action at all.

The investigating officer will gather all relevant evidence and prepare a report which is clear and contains a summary of their findings based on the evidence seen.

Whoever is responsible for the investigation, it should be completed as quickly as possible but should be thorough.

DISCIPLINARY MEETINGS

Learner Behaviour and Disciplinary Procedure

All meetings should take place as soon as possible. The learner should be sent any information used at the meeting at the time of invite. This should include all evidence gathered.

At the meeting, the Gen2 employee leading the meeting should explain the allegations/areas of concern and go through any evidence that has been gathered. The learner should also be given a reasonable opportunity to ask questions and present any evidence they may have.

The Gen2 employee leading the meeting will consider the evidence and determine the appropriate action to be taken, this could include referral to an Exclusion Panel or next step in the process alternatively they can make a decision that there is no further action required.

Meetings can take place in the learner's absence if they fail to attend without reasonable excuse and having been given reasonable opportunity to attend.

At the end of each formal meeting (stage 1-3), the Gen2 employee leading the meeting should update the Disciplinary Report Form and inform Student Services who will send this and a letter to the learner and update the tracker.

APPEALS

All learners have the right of appeal against any formal; stage of the procedure. The ground of an appeal should be based on:

- There is additional evidence available that could not have been made available at the time
- Proper procedures were not followed
- The outcome is considered to be unreasonable

The appeal will be heard by a Centre or Curriculum Manager who was not involved in the original meeting or decision.

Appeals against removal from programme will usually be heard by the Managing Director or Director of Education and Training.

If a learner wishes to appeal, they must contact Student Services within five working days.

A convenient date and time for appeal will be arranged by Student Services and the learner informed.

A meeting will be held with the learner. A member of Student Services will be present to take notes of the meeting. An outcome will be:

- a) uphold the original decision
- b) remove record of the previous decision
- c) remove record of the previous decision but deal with the matter at an alternative stage

Following the appeal meeting the manager hearing the appeal will update the Disciplinary Report Form and send this to Student Services who will then send a copy of the form letter to the learner.

SUSPENSION

After establishing initial facts about a serious incident, suspension should be considered. Suspension, in itself is a neutral act, a precautionary measure and not a form of disciplinary action and should not be confused with exclusion. Suspension will only apply when other alternatives have been considered.

Suspension will usually only be considered for the following reasons:

1. To provide a cooling off period
2. Where the learners continued attendance presents a risk to the learner or others
3. Where the learner's continued attendance is likely to hamper any investigation

The learner will be informed of the decision to issue the suspension and this will be recorded on a Disciplinary Report Form. An investigation will then need to be carried out. Decisions to suspend should only be taken by a Centre/Curriculum Manager or above.

A letter and the Disciplinary Report Form will be sent to the learner.

When the learner is suspended the tutor will arrange for the learner to keep up to date with work as far as possible.

Student Services will record the outcome and keep records, and will send an email to relevant departments to inform them of the student's suspension.

During or after the investigation it may be required to lift the suspension. The manager who made the decision to suspend is responsible for monitoring the suspensions.

ACTION PLANS

An outcome of a formal or informal meeting may be to place the learner on an action plan for an appropriate period of time. Professional discretion and judgement should be used to devise this and there is not a one fits all approach. Action plans should be timebound.

Non-compliance with the action plan could result in disciplinary action.