



North Tyneside Council

North Tyneside Council Adult Learning Service

Respect, Consideration and Disciplinary Procedure

The Adult Learning Service values and respects everyone who accesses the Service and this procedure describes our values and explains the sorts of behaviour we expect. We will take action if a member of the Adult Learning Service staff or a learner falls below the standards set or behaves in a way that disregards the values outlined in the procedure.

- Employees of North Tyneside Council will follow the Code of Conduct and Performance Management Process for staff [..\..\Code of Conduct\code of values and behaviours April 2017.pdf](#) Learners will follow the Learner Disciplinary Procedure. (detailed below)
- If a crime is committed in an Adult Learning class or venue the Adult Learning Service will take legal advice and report incidents to the Police and other appropriate agencies.

The Adult learning Service supports a wide range of individuals from all backgrounds and staff need to consider the learners age, understanding and levels of maturity when applying aspects of this procedure. What is appropriate behaviour for one group may be inappropriate for another. In these cases, Tutor experience and discretion should be observed.

Learners will be offered support and guidance if discriminatory behaviour or attitudes prevail and the care, safety and welfare of the majority will take precedence over the minority. If required, this could lead to learners being suspended from Adult Learning provision.

Classroom Code

Underpinning the day to day delivery of teaching and learning is the classroom ground rules. This covers all the attributes needed to ensure students get the maximum benefit from their learning and promotes good behaviour.

We believe students should be encouraged to take responsibility for their behaviour, but staff can support good behaviour by acting as role models in displaying and modelling the behaviour they expect from their students and consistently applying good classroom management techniques to comply with the classroom ground rules listed on our poster available at: [..\..\Publicity + Marketing\2019-20\Classroom Rules\Classroom Ground Rules A2 \(1\).pdf](#)

How we manage inappropriate behaviour

If difficulties arise the student will be given a chance to consider their responses and the opportunity to make amends, to rebuild the relationship with others and to give and accept apologies. We may ask parents/carers to help us with this if the difficulties continue.

Inappropriate behaviour will always be unacceptable. Where it occurs, it will be investigated and could result in sanctions being applied.

ALS staff will record incidences of unacceptable behaviour and give a detailed account of a student's behaviour and impact on others, using our incident report form available at: <..\..\..\Health and Safety\Accident and Incident reporting\MASTER Incident form for general use.docx>. These forms are logged and a copy sent to the Programme Manager, who may instigate further action. This could also include the completion of a Safe Working Practice Assessment available at: <..\..\..\Health and Safety\Risk assessment\Safe Working Practice Risk Assessments\2020-21\Safe Working Practices Assessment Template.docx> where a risk has been identified that needs to be resolved.

There are many forms of unacceptable behaviours which could include:

- Violent behaviour or physically hurting others
- Deliberate offensive language, including racial, sexual abuse
- Rudeness to staff and students
- Vandalism
- Continued disregard for staff instruction
- Continued disregard for ALS rules and or procedures
- Placing the safety of themselves and/or others at undue risk
- Theft from staff, fellow students and ALS premises
- Bullying and Harassing behaviour.

General guidelines

Minor behavioural challenges including use of inappropriate language as an example

A member of Adult Learning staff may:

- Ask the Learner to stop and remind them of acceptable behaviour
- Discuss inappropriate behaviour and language as outlined in the [Learner Handbook](#) and plan with the learner how to improve their behaviour
- Refer the Learner to the classroom rules poster
- Offer support to others affected.

More severe challenges including excessive abusive language and bullying behaviour as examples

A member of the Adult learning staff may:

- Ask the learner to stop and attempt de-escalation
- Refer to classroom rules, learner handbook and/or posters [..\..\..\Publicity + Marketing\2019-20\Classroom Rules\Classroom Ground Rules A2 \(2\).pdf](..\..\..\Publicity + Marketing\2019-20\Classroom Rules\Classroom Ground Rules A2 (2).pdf)
- If behaviour persists, ask the learner to leave the classroom for a brief one to one discussion on behaviour

- If behaviour continues, then ask the learner to leave the classroom to an appropriate rest/student area or public space for cooling off period
- Readmit the learner after appropriate time
- If the learner does not return to the classroom apply attendance procedures
- Offer to support to others affected.

Serious challenges including aggressive or violent behaviour as examples

A member of the Adult learning staff may:

- Ask learner to stop and attempt de-escalation
- Refer to classroom rules, learner handbook and/or posters
- If behaviour persists, ask the learner to leave the classroom for a brief one to one discussion on behaviour
- Readmit learner after appropriate time
- If learner does not return to the classroom apply attendance procedures
- Report the incident using the form available at: [..\..\..\Health and Safety\Accident and Incident reporting\MASTER Incident form for general use.docx](#)
- The Programme Manager might feel it is required to complete a Safe Working Practice Assessment available at: [..\..\..\Health and Safety\Risk assessment\Safe Working Practice Risk Assessments\2020-21\Safe Working Practices Assessment Template.docx](#) or make a Safeguarding report (see below)
- Manager to feedback on assessment and action to member(s) of staff
- Note relevant systems for awareness e.g. ProSolutions, Hanlon, IO.

Serious misdemeanours/violence and escalated situations as examples

A member of the Adult learning staff may:

- Ask learner to leave the classroom and building immediately if it is safe for them to do so.
- Ensure staff and learners are safe by either remaining in a safe area or removing themselves from the classroom if required and if it is safe to do so
- Contact the police immediately, if required
- Inform a Manager immediately of the incident
- Report incident via the Airswest Accident and Reporting System, complete a Safe Working Practice Assessment for discussion with Manager and make Safeguarding report (see below)
- Manager to feedback on assessment and action to member(s) of staff
- Note relevant systems for awareness e.g. ProSolution, Hanlon, IO.

Safeguarding and Prevent Incidents:

- If a safeguarding or prevent concern arises, all incidents must be reported immediately using the Safeguarding and Prevent policy and Safeguarding Card information available at: [\\ntcdata\cyp\ES&\ALA\Policies & Protocols\2020-2021 Masters\Safeguarding](#)
- Safeguarding Officer will investigate, log concern and report back on action.

Learner Disciplinary Procedure

If there is reason to suspect that a learner is guilty of misconduct or gross misconduct the disciplinary procedure will be followed.

Serious or repeated misconduct may result in a learner being suspended, or excluded from taking part in a learning activity.

The Adult Learning Service reserves the right to suspend a learner immediately without prejudice, from their learning programme pending an investigation. If the behaviour is deemed as gross misconduct, Adult Learning will begin the disciplinary process immediately at stage 3.

The Senior Manager and any third party involved in the learner's programme will be informed immediately.

Disciplinary Process

Stage 1 (Informal)

Tutor/Assessors will raise issues of misconduct with learners immediately as they arise and try to informally resolve the situation. The tutor/assessor will notify a Programme Manager of all issues of concern, particularly where behaviour is serious or repeated. All parties should maintain accurate records in case there is a need to move to stage 2.

Stage 2

Stage 2 applies where a specific instance of alleged misconduct continues and no change of behaviour has occurred.

At this stage, a Programme manager will convene a fact-finding meeting to talk to the learner about their behaviour. The learner is entitled to be accompanied by a friend, family member/responsible adult or colleague, about his/her behaviour and, after taking into account any explanation given, the manager will then decide whether a formal written warning should be given.

Practical measures to avoid recurrence will be identified and agreed by the manager, the learner and his/her tutor in a personal action plan/ILP. This will be monitored by the Tutor and Manager. All records in relation to the meeting will be held securely by the Programme Manager, who should be contacted within 10 working days if the learner wishes to appeal.

Stage 3

Where serious or gross misconduct occurs or the previous misconduct is repeated and there is no progress on the personal action plan or the manager's formal written warning, the learner will be invited to attend a disciplinary interview with another Programme Manager, who must have had no prior involvement in the case. The learner is entitled to be accompanied by a friend, family/responsible adult or colleague at the interview.

At least five days' written notice will be given, except where gross misconduct has occurred and the Programme Manager concerned needs to deal with the matter immediately or promptly.

The learner will be informed in writing of:

- (i) The nature of the conduct and a summary of the evidence of behaviour or language, which has caused concern
- (ii) The learner's entitlement to have an open hearing and to be accompanied by a friend, family member/appropriate adult or colleague
- (iii) Confirmation of the time and place of the interview

After hearing the learner's case the Programme Manager concerned will make a decision on further action, i.e. either:

- (i) No further action will be taken
- (ii) The learner will receive a final written warning and a new action plan/ILP will be put in place
- (iii) The learner will be suspended from the course, and the time period specified
- (iv) Further investigation is needed before a final decision may be made

The Programme Manager will write to the learner within ten working days to give the decision and will also give reasons for the decision, which will be implemented with immediate effect.

The Senior Manager and any third party involved in the learners programme will be informed. All records will be kept securely and confidentially.

Stage 4

The learner will have right of appeal at this stage of the disciplinary procedure, by contacting the Senior Manager.

The Senior Manager will review the appeal and notify the learner of their decision. Their decision will be final.