



Learner Code of Conduct

- Learners are expected to adhere to Adult Learning's Learner Charter
- A breach of the code of conduct may lead to a learner being excluded from the programme of learning
- At all stages of the process, learners will have the opportunity to give their views of the situation and raise any points which should be considered before a decision is made
- Where it is alleged that a criminal offence has been committed, a legal adviser may accompany the learner to any meetings
- Learners have the right at all stages to see material that is kept on file and to request its removal if it is found to be incorrect

BAL's Learner Charter

The rules detailed in the Learner Charter, which is displayed in classrooms and introduced during learner induction, must be observed by all learners.

Misconduct

The following are examples of actions which are considered as misconduct and may result in exclusion from an Adult Learning course:

- Behaviour or language which is hostile or shows prejudice towards individuals based on their disability, gender, race, religion, gender identity or sexual orientation
- Drunkenness or the illegal use of drugs
- Failure to follow the reasonable instructions of a member of staff
- Interference with software belonging to or used by the Service, or misuse of computer facilities
- Plagiarism
- Consistently poor attendance

Where learners are causing disruption to the learning of others, they may be required to leave the classroom and/or site immediately. This action by a tutor or other member of staff dealing with the incident does not constitute expulsion.

Disciplinary Procedure

Stage 1 – Informal Approach

Tutors or other staff will raise issues of concern with learners immediately they arise. The tutor or a member of staff will notify the Curriculum Coordinator and Curriculum Lead of all issues of concern relevant to the case, particularly where behaviour is serious or repeated. These concerns will be recorded on the Learner Conduct Form (LCF1) and signed by the tutor and coordinator. All notes taken will be factual and avoid judgements and personal comments. The LCF1 will be forwarded to the Business Support team to be added to the Student Conduct Register. The learner will be advised of the consequences by the co-ordinator.

Stage 2 – Curriculum Manager involvement

Where the cause for concern continues and no change of behaviour has occurred, the team manager will talk to the learner about the issue and if required will

recommend to the Curriculum Manager that a formal written warning be given. The warning will be conveyed to the learner in writing (LCF2) by the CM and copied to Adult Learning's Service Director. Practical measures to avoid recurrence will be identified and agreed by both the learner and tutor.

Stage 3 – Service Director involvement

Where serious misconduct occurs or the misconduct is repeated after the CM's formal warning, the learner will receive written notice (LCF3) from the Service Director (or nominated representative), stating:

- The nature of the conduct and a summary of the evidence for the complaint
- The learner's entitlement to have an open hearing and to be accompanied by a friend or colleague
- Confirmation of the time and place of an interview, if appropriate

After hearing the learner's case, the Service Director may, within five days, make one of the following decisions:

1. No further action will be taken
2. The learner will receive a final written warning
3. The learner will be excluded from the class
4. Further investigation is needed before a final decision is made. This may include obtaining statements from fellow class members

Further investigation

- The Service Director may adjourn the hearing for a future date within the next ten working days to allow relevant evidence to be made available.
- The Service Director has the right to exclude the learner until the reconvened hearing.
- Copies of any documentary evidence will be provided to the learner at least five days before the next hearing
- Written statements which do not reveal the name of the witness will not be considered

Decision

- The Service manager (or representative) will write to the learner within five working days with the decision along with reasons
- Refunds will not be issued in the event of exclusion from a programme of learning

In exceptional cases it may be desirable that variations should be made to procedural aspects of this code. The Service may make such variations as it sees fit.