



# Learner Behaviour Policy

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## Directors Statement

Liberty Training is committed to safeguarding and promoting the welfare of all students and expects all staff and volunteers to share this commitment. It is our aim that all students are kept safe and supported to achieve fulfil their potential.

The Directors of Liberty Training wish to make it clear that extremist religious views and partisan political views promoted in the teaching of any subject in the college will not be tolerated. All members of staff are expected to offer a balanced presentation of views and opinion to students whilst they are in attendance at the college and whilst taking part in extra curricular activities that are provided or organised by or on behalf of the college including through the distribution of promotional materials. Failure to observe the above could lead to disciplinary procedures including instant dismissal.

This document does not set out to undermine British Values

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## Introduction

This policy sets out the Code of Behaviour which Liberty Training expects all learners to follow. It also sets out the procedure which will be followed if the Code of Behaviour is broken. This code applies to all Liberty learners.

The staff team will ensure that the policy is implemented equally in all cases, without regard to ethnic origin, cultural differences, gender, disability, or sexuality. They will ensure that learners are listened to and that their concerns are appropriately addressed.

At Liberty, we believe that good behaviour is founded upon good relationships, clear expectations and an understanding of individual learners needs. We promote good behaviour by creating a happy, caring environment where everyone feels valued, respected, safe and free from anti-social behaviour. We believe that every learner and member of staff is responsible for promoting good behaviour.

Our aim is to encourage self-awareness, self-discipline, and mutual respect, to help our learners prepare for adult life and the workplace. For this reason, this policy is set out using terminology that would be used in a workplace policy.

## Code of Behaviour

Learners are expected to:

- Always show positive behaviour whilst at Liberty Training. This includes attending all lessons and activities on time and engaging positively in everything. We expect our learners to always try their best.
- Attend their lessons and activities on time and stay for the whole lesson.
- Ensure they actively participate in lessons, ensuring they give the lesson their full attention without distractions, such as using their mobile phone.
- Treat others with kindness and respect at all times, keeping the Liberty ethos and following British Values and the Equality Act. This includes letting other learners learn without disruption.
- Follow all Health and Safety rules, policies, and procedures, following the instructions of staff.
- Respect their environment and resources by treating everything with care, both on-site and while on off-site activities. Our learners should never intentionally cause any damage.
- Support staff and other learners in keeping their environment clean and tidy.
- Complete their work and activities to the best of their ability.
- Respect Liberty's zero tolerance to weapons, alcohol, and drugs, never bringing them on-site, or to off-site activities, or attend whilst under the influence of alcohol or drugs.
- Always act lawfully and professionally, as they would be expected to in a work environment.
- Understand that their parents, carers, guardians, and appropriate professionals may be informed of concerns and involved in discussions around how to support them.

Should a learner fail to follow these expectations, they may face disciplinary action from Liberty which could put their place with us at risk. The following sections are examples of negative behaviour which may result in disciplinary action being taken against learners.

## Misconduct

Misconduct includes any of the following:

- Any breach of the above Code of Behaviour.
- Not following the reasonable instructions of a member of staff.
- Poor attendance or timekeeping without good reason.
- Cheating or plagiarising (*copying*) the work of other people.
- Smoking or vaping outside of the designated smoking areas (both at Liberty and at off-site premises).
- Disrupting lessons or any other Liberty activity.
- Using mobile phones in lessons (other than when directed to do so for research or linking to the interactive whiteboard, or to listen to music)
- Using abusive language or behaving in an offensive way.
- Causing damage to Liberty property or any property of others, deliberately or by gross negligence (*carelessness*).
- Interfering with software or data belonging to or used by Liberty or using unauthorised software on Liberty equipment or introducing any virus (or other corruption/interference to equipment or software).
- Using the internet inappropriately, either on Liberty equipment or on your own equipment (i.e., mobile phone, tablet) whilst at Liberty or on off-site activities.
- Taking part in any theft of property or any other dishonest acts.
- The use, possession or supply of any illegal substance or alcohol on Liberty premises or during any activity associated with Liberty.
- The possession of weapons on Liberty premises or during any activity associated with Liberty.
- Consistently failing to meet deadlines to complete work without good reason.
- Bullying, intimidating, or harassing any learner, member of staff or visitor to Liberty, or any members of the public while on Liberty activities.
- Behaving in a way which is (or can be interpreted to be) sexually or racially offensive or which is offensive to those with learning and/or physical disabilities or impediments.
- Behaving in a way which could damage Liberty's reputation.
- Any illegal act which may negatively affect Liberty or other learners.

This is not an exhaustive list. (*That means it gives examples but does not show every single thing that could be on the list.*)

## Gross Misconduct

Any serious cases of misconduct or negative behaviour may be treated by Liberty as gross misconduct. For example, any misconduct involving violence or a serious threat of violence, deliberate damage to property, endangering the health and safety of others, or any criminal activities affecting Liberty or other learners (or which could damage Liberty's reputation) are likely to be treated as gross misconduct and could lead to exclusion.

## Disciplinary Procedure

At Liberty, we understand that poor behaviour may be a result of emotional anguish, personal issues, or concerns, or due to miscommunication or lack of understanding that may lead to frustration. Our disciplinary procedure is designed to be supportive wherever possible, but our learners must understand that sanctions may be necessary and that if this procedure is followed in full, it could lead to the learner

losing their place at Liberty. This is because Liberty must maintain a happy, safe, and respectful environment for everybody, keeping everyone safe from harm.

Any learner who is upset, distressed, or acting in an unsafe manner will have the opportunity to move to an empty room to allow them to calm down. Staff will offer individual learners the opportunity to talk about their concerns or worries or just to calm them down if something has upset or angered them but will respect their need for space when requested.

Where the behaviour is the result of staff actions e.g., a task was explained using language that the learner did not understand, it is the duty of the staff member to reflect on this and implement strategies to adjust their practice to meet the learner need wherever possible.

If a learner does not follow the expectations in the Code of Behaviour, Liberty will follow the disciplinary procedure below:

### **Step One: Improvement Plan**

If a learner gives a member of staff a cause for concern, that member of staff or their tutor will have a conversation with the learner. In this meeting the member of staff will outline the cause for concern, discuss any possible reasons for the unwanted behaviour and suggest strategies for additional support, setting improvement targets through a Learner Improvement Plan. The aim at this stage is to help the learner to understand why the behaviour is not appropriate, and to help the staff understand any factors that may have caused the behaviour.

### **Step Two: Yellow Card (SLT involvement)**

If the learner's behaviour does not improve or should the breach of the Code of Behaviour be a re-offence, a member of the Senior Leadership Team will have a conversation with the learner, where they will discuss any reasons for the unwanted behaviour and suggest strategies for additional support and improvement targets and outline the consequences of continued disregard of Liberty's behaviour policy and the Code of Behaviour. The member of staff from step one may also be present in this meeting.

### **Step Three: Amber Card (Contacting parents and/or guardians)**

If the learner's behaviour continues to breach Liberty's behaviour policy and/or the Code of Behaviour or should the breach to the Code of Behaviour be a continued reoffence, a meeting will be arranged with the learner's parents/guardians and/or appropriate professionals. This may take place either face to face or by phone/video call, as soon as possible. If the offence is serious enough, or if it is more appropriate to do so, the member of staff may move straight to this step and skip step one and two.

### **Stage Four: Red Card (Remote learning)**

Following step three, should the learner's behaviour continue to breach Liberty's behaviour policy and/or the Code of Behaviour or should the breach to the Code of Behaviour be a continued reoffence, the learner will be directed to work from home during a period of investigation, with immediate effect. The learner will be sent home and Liberty may request a parent or guardian to collect them for their own safety and the safety of others. Investigations will be carried out by a member of SLT and/or the safeguarding team. During this time, Liberty will investigate the circumstances and, if necessary, consult with the local authority or the police to decide the most appropriate course of action. Outcomes may include, but are not limited to:

- mediation meetings
- written contracts for the learner to agree to on their return
- continued home study
- exclusion from activities
- termination of their placement.

*Step one will be followed in the first instance unless the complaint against a learner is sufficiently serious to move straight to Step 4.*

## Acts of Violence

We believe that our learners should be treated as adults to prepare them for the outside world. It is therefore Liberty Training's policy not to use physical contact or force to control or restrain learners in order to prevent personal injury, damage to property or the prevention of a criminal offence being committed.

If situations such as these arise, the police will be contacted, and learners and staff will be moved to a place of safety. However, Liberty staff are trained in conflict management, self-defence, and breakaway techniques to ensure their personal safety and that of other learners and may implement these techniques in extreme circumstances.

Liberty staff have the statutory power to search learners or their possessions, without consent, where they have reasonable grounds for suspecting that the learner may have a prohibited item.

Prohibited items include knives or weapons, alcohol, illegal drugs, stolen items, fireworks, pornographic images, any item that could be used to commit an offence or personal injury or damage to property. Any learner found in possession of them will face disciplinary action.

## Unacceptable Conduct Outside of Liberty

Maintaining a strong partnership with the local community is extremely important at Liberty Training. We expect our learners to take responsibility for their actions outside of the college.

All unacceptable behaviour and instances of bullying occurring anywhere outside of the college, which have been witnessed by a staff member or reported to Liberty, will be dealt with according to this policy.

This will include any unacceptable behaviour when a learner is:

- Taking part in any activity organised by Liberty.
- Travelling to and from Liberty.
- In some other way identifiable as a learner of Liberty.
- Poses a threat to another learner or member of the public.
- Could negatively affect the reputation or running of Liberty.

## Appeals

The learner will have the opportunity to appeal against the decision of the Senior Leadership Team if this decision has not been directed by the local authority or police, and this appeal will escalate to Nikki Hill, Director of Liberty Training. All appeals must be made in writing to Liberty Training, Paragon House, Albert Street, Ramsgate CT11 9HD or via email to [nikki@libertygrouppltd.co.uk](mailto:nikki@libertygrouppltd.co.uk) within 5 days of receiving the decision letter.

If an appeal is lodged within the time allowed an appeal interview with Nikki Hill will be scheduled to take place within 10 working days of the appeal being received. The learner will be given at least 5 working days' notice of the time and place of the appeal interview and will be entitled to be accompanied by a parent/carer or fellow learner (but not by a legal or other professional adviser unless Liberty otherwise agrees, having been given reasonable notice before the day of the hearing). A legal or other professional adviser will be permitted only if Liberty intends to have an external adviser present. Any documents

considered during the decision-making process will be available for the purposes of the appeal, together with the notes of any relevant meetings.

Should the learner fail to attend the hearing meeting on the date and time provided without good reason or cancel two arranged hearing meetings without cause or within more than 24 hours of the arranged meeting, they will revoke the right to appeal.

At the appeal interview, the learner will be invited to explain the grounds of the appeal and state their case.

The manager who made the decision to exclude will be asked to respond to the appeal and explain the reasons for the recommendation.

Nikki Hill may ask questions of the learner and the manager and will then consider whether to allow or dismiss the appeal. Witnesses will not normally be asked to attend except in relation to any relevant new evidence which has come to light.

In order to protect learner witnesses from fear of recrimination, any evidence given by a learner will have the identity of that learner obscured/deleted from any copies given to the learner against whom the disciplinary action is being taken.

If the appeal is allowed, management may decide that disciplinary action lesser than that recommended by the manager should be taken.

If the appeal is dismissed, the recommendation of the manager will stand.

Within 5 working days of the appeal interview, the final decision by the Senior Leadership Team will be confirmed, in writing, to the learner and where appropriate the parents/guardian.

There is no right of appeal against this decision.

## Celebration of Good Conduct

Good behaviour is celebrated by through regular praise and encouragement and is part of the Liberty ethos. We also have an achievement points system to encourage positive behaviour and following the Code of Conduct and Code of Behaviour which recognises individual achievement and progress.

Rewards may include:

- Certificates of Achievement
- Learner of the Week Certificates
- Learner of the Term Certificates
- Attendance Progress Certificates
- Individualised certificates e.g., Top Team Player, Most Considerate Learner
- Sweets and snacks
- Grub Hub vouchers
- Gift vouchers e.g., Love2Shop

## Covid 19 Amendment

In order to minimise the risk of Covid-19 transmission, all learners must:

- Comply with instructions given by any member of staff in relation to the COVID-19 Risk Assessment and latest government guidance.
- Sanitise on entry and exit to the building and wash their hands or sanitise regularly throughout the day.
- Test twice a week for Covid 19 using the home test kits provided by Liberty.
- Complete a PCR test if they show symptoms of Covid-19 or if they come into direct close contact with anyone who tests positive for Covid-19.
- Follow any advice given by NHS Test and Trace relating to self-isolation if they have been in close contact with an infected person.
- Ensure that they do not cause any cross-contamination with others by coughing, sneezing, or spitting directly at someone or in their general direction (use the 'catch it, kill it, bin it' approach or cough/sneeze into the elbow)
- Any learner who fails to follow the expectations set out above will be sent home for the remainder of the day. Liberty will then follow the disciplinary policy set out in this policy.