



# LEARNER CODE OF CONDUCT 2022-2023

## Learners with Learning Difficulties and Disabilities (LLDD) provision

### **Rationale**

Bromley Adult Education College (BAEC) is committed to providing a first class learning environment. BAEC has responsibility to those attending the LLDD provision to provide high professional standards of teaching and a safe and motivating place for learning.

By enrolling on a BAEC course, learners and their carers confirm that they are committed to abiding by this Learner Code of Conduct.

This Code includes:

- BAEC definition of Unacceptable Behaviour
- Personal Care
- Learners responsibilities and expectations
- Stages in BAEC disciplinary procedure.
- Risk Management Procedures

### **Unacceptable behaviour**

Unacceptable behavior is defined as 'any behaviour which impacts negatively on teaching, learning, assessment and progress of learners.

BAEC has a zero tolerance policy concerning behaviour by an individual or individuals which negatively impacts on the wellbeing or educational outcomes of another learner or group of learners.

### **Personal care**

BAEC staff are unable to offer any personal care to learners attending LLDD provision. Learners, carers and parents should be aware of this and make appropriate provision for any personal care which learners may need. This may include:

- Toileting needs
- Pushing wheelchairs
- Assisting with eating or drinking
- Administration or supervision of medicines
- Helping with seizures
- Other personal care activities

### **Learners' responsibilities**

Learners must:

- Formally enrol for classes that they are attending
- Recognise and observe BAEC policies and procedures
- Attend classes regularly and punctually

- Provide proof of enrolment/identity/eligibility as required
- Show respect to others
- Not share or send any electronic texts, messages or images containing discriminatory, sexist, racist, offensive or abusive content with other BAEC learners
- Respect the personal space of other learners. Physical contact should relate only to creative dance and drama tasks
- Respect the wishes of other learners and allow others to learn and work without interruption or disruption
- Recognise that the tutor has a responsibility for the learning of the whole group
- Behave with consideration to others when using shared spaces including the refreshment and reception areas, outside space and toilet facilities
- Follow the course behaviour guidelines known as 'ground or college rules' agreed by the group during the first session
- Maintain healthy and professional relationships with other learners and staff
- Respect and not cause damage to equipment, materials or buildings
- Observe all health and safety regulations as well as additional rules in specific areas such as table areas during the breaks, garden and other outside areas
- Observe the no smoking / no vaping regulations on the premises
- Eat and drink only in designated areas (it is permitted to take bottled water into classrooms but not into IT suites)
- Know and follow the emergency evacuation procedures

**Examples of unacceptable behaviour/misconduct:**

- Discriminatory, sexist, racist, offensive or abusive charged language conveyed verbally or electronically
- Intimidating verbal or physical behaviour towards learners or members of staff
- Deliberate upset in shared spaces caused by not respecting others' right to drink, eat or speak together
- Deliberate misuse of, damage to, misappropriation or theft of any learning material and/or equipment, furniture, fittings or other property belonging to BAEC or its learners or staff
- Abuse of computer facilities through installation of personal or illegal software or otherwise engage in other activities which may disrupt the computer network or infringe the Acceptable Internet Use Policy 2022-23
- Cheating or copying other learners' work
- Anti social, disruptive or sexually suggestive behaviour demonstrated physically, verbally or electronically e.g. any behaviour that infringes upon other learners ability to learn or wellbeing

The BAEC Learner Code of Conduct 2022-23 describes the various stages in BAEC's response procedures.

**Serious Incident**

Examples might include wilful damage to property, downloading inappropriate material, physical violence, serious breach of health and safety, verbal or physically abusive behaviour.

A serious incident is dealt with by the most senior person on site and can lead to immediate dismissal from the premises. The police will be called (if appropriate) and or where it appears a criminal offence may have been committed.

## Our Initial Response

When staff believe that a learner's persistence or behaviour means that The Zero Tolerance policy should be invoked, it will be the responsibility of the Head of Adult Learning to decide whether it is appropriate for BAEC to send a formal warning to the learner. The Head of Adult Learning should have sight of sufficient examples/details of the learner's conduct for them to be satisfied that a formal warning is appropriate.

Examples might include deliberate disruption in class or during online meetings, derogatory or inappropriate comments to staff or other learners (whether verbally or via email/social media/chat facility during meetings and on the BAEC website), littering, refusal to comply with agreed ground rules, follow tutor's instructions or comply with assignment/homework requirements.

### Stage 1

A senior manager issues a verbal warning informing the learner that his/her behaviour is unacceptable and infringes the BAEC Code of Conduct.

### Stage 2

A senior manager issues a second verbal warning. A written report of the incident will be made. A formal letter is sent by the relevant senior manager with a copy to the tutor involved.

## Our Response - Restriction or Exclusion Stage

If the learner's unacceptable behaviour continues notwithstanding their receipt of a warning letter, or is of a sufficiently serious nature so as to justify BAEC moving straight to this stage, the matter may be referred to the Head of Service at the London Borough of Bromley.

The Head of Service should be provided with sufficient detail of the learner's conduct and of the attempts already made to persuade the learner to desist, as well as (wherever possible) a draft of any letter he/she is being asked to sign. The Head of Service should also be provided with a summary of the content and progress of any complaint, information request or other matter that is related to the conduct.

The Head of Service will review and consider the evidence provided. The outcome of this review may include one or more of the following:

- The issue is referred back to the BAEC management team with a recommendation for further intervention work before restriction or exclusion is considered.
- A recommendation for restriction or exclusion is submitted to the Director of Education for agreement.
- Details of the incident to be recorded on an AR3 form and submitted for inclusion on the Cautionary Contacts register. [Accident Report Form \(AR3\).doc](#)

Any restriction or exclusion action may include, but is not limited to:

- Requiring the learner to sign a written agreement (if appropriate, involving the relevant service head) setting out a code of conduct they will adhere to in order for BAEC to agree to continue dealing with the individual.
- Declining and/or blocking further contact with the learner, or other third parties on their behalf, save that the learner shall be permitted to communicate with BAEC through one specific

email address and/or telephone number, when further communication will be acted upon as appropriate.

- Restricting contact to liaison through a third party and/or to specific days or times.
- Requiring any telephone calls or face to face meetings to be recorded.
- Informing the learner that BAEC has responded fully to the points they have raised, that the College has nothing more to add, that continuing contact on the matter will serve no useful purpose and the College will not therefore be doing so.
- Temporarily suspending all contact with the learner, the response to a complaint or information request pending receipt of legal advice or guidance.
- Banning the learner from specific BAEC delivery sites, or all of them, if necessary by means of an injunction.
- Limiting or regulating the learner's use of BAEC's facilities and services.

The student will be informed in writing by the Head of Service of a restriction or exclusion, including the length of time the restrictions or exclusions will apply.

### **After Restriction or Exclusion**

#### **Review**

The justification for continuing restrictions/exclusion will be reviewed at the end of any agreed period or, if that is indefinite, on an annual basis to consider whether a more reasonable approach is being used by the individual and whether restrictive measures should be extended, altered or discontinued.

The learner will be informed in writing of the outcome of that review by a senior manager as soon as practicable following the conclusion of that review.

#### **Monitoring**

A list should be maintained of those learners currently subject to restrictions or exclusions by the Head of Adult Learning or Head of Service. This will be kept in accordance with the Council's data protection policies. Anonymised information about those restricted/excluded under this may be included in reports.

#### **Request to be derestricted**

A learner whose dealings with BAEC have been restricted under the terms of this policy may write to the Head of Adult Learning requesting that some or all of those restrictions be lifted. The Head of Adult Learning will consult with such staff as she/he considers appropriate before deciding whether that request should be acceded to.

The learner will be informed in writing of the outcome of that review by the Head of Adult Learning as soon as practicable following the conclusion of that review.

#### **Future unrelated complaints**

Where the restriction/exclusion arose out of a complaint the learner raised with BAEC, the learner will not be automatically barred from raising concerns or complaints on an unconnected matter.

New complaints or requests will be treated on their merits and responsibility for determining whether such a complaint should be accepted and responded to by BAEC, falls to the Customer Care Team.