

Aim/Scope

Poultec Training Limited has high expectations of learner behaviour and supports all learners to ensure they are able to achieve these expectations. Poultec Training is proactive in identifying causes for poor behaviour, promotes understanding of all learner experiences that may impact behaviour and is effective in supporting learners throughout their studies.

This policy and procedures have been drawn up to ensure that all learners who may be subject to disciplinary procedures are dealt with in a fair and equitable manner.

The procedures contained within this policy are to ensure consistent and fair treatment in relation to disciplinary action taken in response to allegations of unacceptable behaviour, and the management of poor behaviour, conduct or performance.

The Learner Code of Conduct provides details of the Poultec Training's expectations of learners. A learner who does not meet the required standards of behaviour makes them self liable to disciplinary action, suspension or, in sufficiently serious cases, exclusion.

Where a learner is suspected of malpractice the investigation as described in the Malpractice and Maladministration policy will be completed before a decision to invoke the disciplinary procedure is made.

The term learner is used throughout this document; the term incorporates study programme learners, adult learners and apprentices.

General Principles

It is recognised that for minor breaches of discipline, a less formal arrangement should exist whereby a member of the Poultec Training's staff will discuss the matter with the learner concerned in order to resolve the issue. The outcome of such a discussion could be a referral to a safeguarding officer, programme manager or Director. Such informal discussion is not the subject of the disciplinary procedure, although failure of a learner to respond to such discussion or offers of support could lead to formal disciplinary action.

By signing the learning agreement at enrolment, learners are accepting the terms and conditions of this policy.

No disciplinary action will be taken against a learner until the circumstances have been investigated except when misbehaviour has been directly observed by a member of staff. In this instance the appropriate action should be taken immediately.

If appropriate, a director or senior manager, may suspend the learner whilst the investigation is carried out.

At each stage learners have the right to be advised of the reason for formal disciplinary meetings, to hear the evidence against them and to state their case.

If a learner fails, without good reason, to attend a disciplinary meeting which they have been invited to attend, the meeting can take place and a decision made in their absence.

A learner has the right to appeal against any disciplinary penalty imposed from a Stage 3 disciplinary meeting and against any decision to permanently exclude them. A learner on a 16-19 learning programme has the right to be accompanied to an appeal hearing by a parent/carer and an apprentice or learner on an adult programme has the right to be accompanied by a friend.

Special consideration will be given to learners whose behaviour might be the consequence of a learning difficulty or disability as defined by the Disability Discrimination Act.

Disciplinary warnings will normally remain on a learner's record for up to 2 years.

Information relating to formal disciplinary warnings will be recorded in the safeguarding report and presented to senior managers and directors.

Unacceptable Behaviour

Poultec Training implements an extensive range of support strategies to engage learners and promote expectations of how learners should behave. However, should a learner's behaviour frequently fall short of these expectations it may become necessary to follow the disciplinary process at Appendix 1.

Unacceptable behaviour is usually repeated actions that cause concern or distress to peers or staff members. Some examples of behaviours which are unacceptable are given below for guidance purposes. These are examples and the list is not exhaustive. It is important to understand that even minor breaches of the code of conduct, available at Appendix 2, may be treated as serious misconduct if they are persistent or repeated.

- any breach of the responsibilities of learners outlined in the 'Learning Agreement' and any breach of health and safety or other regulations of Poultec Training, as outlined at induction and in the Learner Code of Conduct;
- any failure to follow the reasonable instructions of a member of staff;
- any unduly noisy or unruly behaviour or the use of foul or abusive language; and
- disrupting any class or any other activity, whether or not involving staff or other learners.

All instances of unacceptable behaviour will be reviewed in context prior to any decision to invoke the disciplinary process is taken.

Poultec Training recognises the legal duties under the Equality Act 2010 and the 2011 Specific Duties Act in respect of learners with Special Educational Needs and/or Disabilities (SEND). Whilst all learners identified with SEND are covered under this behaviour policy, Poultec Training recognises that these learners often require support, which is different from, or in addition to, that required by their peers in order to take full advantage of the educational opportunities available to all learners. Where deemed necessary, an Individual Behaviour Plan will be used for learners with SEND that cause them to display challenging behaviour. Advice will be sought from external agencies, where necessary, to assist with putting in place appropriate support strategies. These will be monitored and reviewed regularly.

Gross Misconduct

The following are examples of activities that could be considered as gross misconduct:

- theft of any kind;
- any potential or actual illegal act which may have an adverse effect on the work of Poultec Training or on other learners;
- threatening behaviour against staff, learners or the organisation;
- physical assault against staff, learners or the organisation;
- sexual misconduct, assault or harassment;
- any bullying (including cyber, prejudice based & discriminatory bullying), intimidation, harassment, taunting (including any homophobic comments), verbal abuse or the use of any violence or threat of violence towards any person;
- discrimination of any kind (including racial, homophobic, age, religion, sex, gender reassignment and disability);
- any behaviour that relates to the PREVENT agenda;
- deliberate damage to property (Poultec Training property and personal property);
- any activity which contravenes the “Code of Practice for the Acceptable Use of IT”;
- endangering the health and safety of others;
- any behaviour which could bring Poultec Training into disrepute;
- possession and/or use of illegal substances, alcohol and legal highs;
- plagiarism; and
- foul and abusive language used toward any member of staff, visitors, and fellow learners.

This is not an exhaustive list and each incident will be reviewed individually and in context. Where learner actions suggest gross misconduct, Poultec Training reserves the right in the first instance to suspend the learner pending a formal investigation.

In all cases of suggested gross misconduct, a safeguarding officer or safeguarding lead will investigate the incident and present these findings to a director in readiness for the disciplinary hearing to take place.

Contact with Parents and Carers

Poultec Training collects parent/carers contact details at enrolment for all learners enrolled on a 16-19 study programme. 16-19 study programme learners are made aware at enrolment that Poultec Training will use these details to contact parents/carers as needed. Parents/carers can expect to be contacted should a behaviour concern arise and invited to attend meetings if behaviour or conduct remains a concern.

Parents and carers are encouraged to communicate with Poultec Training and share all relevant information that might affect the learner’s behaviour whilst in learning. If parents/carers have a concern about the learner’s behaviour outside of Poultec Training this should also be shared with Poultec Training so that the learner’s wider wellbeing can be fully understood and supported.

Study Programme Learners and their parents will be contacted where the learner has not attended a timetabled session and where the learner/parent has not informed the tutor of the intended absence.



Edward Bales
Managing Director
2nd September 2024

Policy Review	This policy will be reviewed annually by the Senior Management team or when there are changes in the workplace such as new tools, systems or conditions.
Approval Dates	This version takes effect from: 2 nd September 2024

Appendix 1 - STAGES OF THE DISCIPLINARY PROCEDURE

The disciplinary procedures are the direct responsibility of the Curriculum Director but the operation of the procedures is delegated to the Associate Directors, Designated Safeguarding Leads, Programme Managers and Safeguarding Officers.

INFORMAL CONCERNS

It is important that all tutors who have concerns about a learner in their class discuss these concerns with the learner, set actions for them to improve and record the details on CPOMS. The tutor must follow up with the learner and monitor improvements.

Any member of staff may raise a concern when a pattern is detected across different classes or when there is a concern about behaviour outside of the classroom. The member of staff should record brief details of the concern on CPOMS as well as any actions taken to allow the tutor to follow up with the learner and monitor improvements.

The tutor will monitor the learner's behaviour and discuss next steps with the Programme Manager for the area if concerns remain. The Curriculum Director will be informed if the learner is to progress to Stage 1 of the formal disciplinary process.

It remains the responsibility of the Curriculum Director to ensure all learners are supported throughout their time with Poultec Training and especially when engaging with the disciplinary procedure.

STAGE 1 (ACTION PLAN)

This is an initial measure generally invoked to prevent any further escalation of disciplinary stages and will often relate to a failure of a learner to fulfil a commitment, such as:

- Deadlines: regular late submission of assessed work, including significant course work;
- Behaviour: any breach of the learner code of conduct including disrespectful behaviour towards staff or fellow learners.

A disciplinary meeting will take place with the most appropriate programme manager. In the majority of cases, a Stage 1 warning will be issued and action plan drawn up to include SMART targets. Details of the action plan and targets must be recorded on CPOMS.

Where individual performance targets are set there will be an agreed review period, at the discretion of the Programme Manager. This will depend upon the nature of the initial concern. Typically, the review period could be several days and up to two weeks.

The Programme Manager will share performance targets with the apprentice's employer.

The Safeguarding Officer or tutor will meet regularly with the learner to monitor and support progress.

The Programme Manager or tutor will meet the learner at the end of the agreed review period to check progress against the individual targets set.

If the Programme Manager is satisfied that sufficient progress has been made to address the initial concerns, the learner will be notified that no further action will be taken.

If the learner has not made sufficient progress against the agreed targets, the Programme Manager and the Curriculum Director will meet to agree the next steps.

Next steps can include a review of the action plan with extended targets and deadlines or an agreement to progress to stage 2.

STAGE 2 (FORMAL)

A Stage 2 formal warning is given if there has been a failure by the learner concerned to make satisfactory progress during Stage 1 and the Programme Manager is confident that the learner has been fully supported to achieve the targets and all known information about the learner has been considered.

The tutor will make arrangements for a formal second stage meeting with the Programme Manager and any other appropriate member of staff. A parent, guardian or appropriate representative of the learner will be invited to this meeting. The purpose of the meeting will be to highlight concerns and to agree individual targets with the learner to address these concerns. The Stage 1 action plan will be updated, and the new agreed actions will be entered on CPOMS.

A review date will be set at this meeting; interim meetings can be arranged if needed at the discretion of the Programme Manager. The Safeguarding Officer or tutor will meet regularly with the learner to support progress towards achieving the targets. A second stage formal warning will be recorded on CPOMS.

Learners will be offered support from a Safeguarding Officer.

At the end of the agreed review period the learner will have a final review meeting with the Programme Manager and any other appropriate member of staff. If the Programme Manager is satisfied that sufficient progress has been made to address the agreed improvement targets, the learner will be notified that no further action will be taken.

If the learner has not made sufficient progress against the agreed targets, the Programme Manager and Curriculum Director will meet to agree the next steps.

Next steps can include a review of the action plan with extended targets and deadlines or an agreement that the learner progress to Stage 3.

STAGE 3 (FINAL)

A Stage 3 (final warning) represents the final stage of the disciplinary process. If there is no improvement in behaviour, then the learner may be permanently excluded.

The Curriculum Director will make arrangements for a final review meeting. A parent, guardian or appropriate representative of the learner will be invited to this meeting. The purpose of the meeting will be to highlight the continuing staff concerns and to agree final individual targets with the learner to address these concerns. The agreed actions will be entered on CPOMS. Under these circumstances, a final warning will be issued outlining the agreed actions and the timescale for the review period. The learner will be offered further support from a Safeguarding Officer. Alternatively, due to the severity of the action taken by the learner, such as gross misconduct, this meeting may be to confirm a permanent exclusion.

At the end of the agreed review period the learner will have a final review meeting with the tutor, Programme Manager and Curriculum Director. If the Curriculum Director is satisfied that sufficient progress has been made to address the agreed improvement targets the learner will be notified that no further action will be taken.

If a learner is taken off Stage 3 and a further concern is raised (repeat of previous/similar behaviour), the learner will in all cases be referred directly to the Curriculum Director who will decide on the appropriate course of action.

The Programme Manager will communicate with the Employer the course of action, if necessary.

Failure to Meet the Terms of the Individual Action Plan

If the learner fails to meet the conditions outlined in their individual action plan, all support has been actioned and there are no mitigating circumstances, the Programme Manager and Curriculum Director will review all activity to support the learner and agree the next steps.

If appropriate, the Curriculum Director will action the exclusion and ensure parents/carers are informed.

In the event of a permanent exclusion, the learner will be notified in writing. If a learner has been excluded for gross misconduct, they will not be entitled to re-apply for course with Poultec Training in the subsequent year.

Permanent Exclusion – Appeal Process

In the case of a permanent exclusion the learner does have the right of appeal to the Managing Director. This appeal must be made in writing within 10 working days. In all appeals of this nature, the Managing Director's decision will be final. The Managing Director can delegate the review of the appeal to a member of the team of Directors or Senior Manager.

Important Note

In extreme circumstances, for example where the learner's behaviour requires immediate suspension from Poultec Training, any Director or Senior Manager can suspend the learner. If the learner is considered vulnerable, then the Curriculum Director must be consulted prior to suspension. It is the responsibility of the Director or Senior Manager suspending the learner to ensure parents/carers are informed and CPOMS is updated. The suspension will subsequently be reviewed by the Curriculum Director and through discussion with the Programme Manager, next steps will be agreed.

Appendix 2 - Learner Code of Conduct

The Code of Conduct reflects Poultec Training's values, particularly those of honesty, integrity, respect, equality, diversity and inclusion.

The code of Conduct is used as a guide for learners to promote a culture of positive behaviours.

Poultec Training promotes a culture of positive behaviour. Learners must therefore display positive behaviours in all activities associated with the learning programme both on and off Poultec Training's site. This is to promote a safe, inclusive and positive culture for learning and personal development so that learners develop positive behaviours for work and further learning.

Learners are expected to display the following positive behaviours:

- Demonstrate respect, consideration and kindness to staff and each other at all times;
- Be proactive in safeguarding themselves and each other, sharing and reporting concerns to a member of staff as soon as they are known;
- Dress appropriately for the learning environment and remove coats and hats when in classrooms, workshops or other learning facilities;
- Limit the use of mobile devices when in the learning environment unless being used to support learning;
- Consume food and drinks in designated areas;
- Comply with the no smoking policy in all buildings. Smoking and use of e-cigarettes is restricted to the designated areas;
- Treat all personal and College property with care to avoid damage, injury or harm;
- Respect Poultec Training's sites at all times by;
 - Disposing of litter in the bins provided
 - Avoiding excessive noise or disruption to learning
 - Playing ball games in designated areas only
 - Parking only in designated bays.
 - Ensuring all entrances and exits are kept clear at all times

Poultec Training does not tolerate: the use of alcohol, drugs, legal highs; bullying or sexual harassment of any kind. Misconduct of this kind is likely to lead to immediate suspension and permanent exclusion from Poultec Training.