



Policies & Procedures

Learner Code of Conduct

Policy Updated: 31/10/2023



COPA is the
trading name of
North Wales
Training.

1. Introduction

1. COPA aims to promote and develop consistently high standards of conduct and behaviour for its learners, to prepare them for their work and personal life, both during and after completion of their programme.

Our ambition is that by having high expectations of our learners, we will provide a learning environment and experience that is conducive to learners achieving their potential.

We anticipate that most of our learners will understand and appreciate the importance and significance of adopting and abiding by the Code of Conduct at all times, during their programme, in centre, in the workplace, during off the job training, and in their personal and social lives. However, we also accept that, at times, some learners may find this difficult and will not always adopt and demonstrate the required standards of conduct.

Wherever appropriate, COPA will attempt to resolve these issues without resorting to formal disciplinary processes. Where possible, our staff will attempt to identify the reasons that may result in poor behaviour and deliver or signpost learners to appropriate support to provide and develop behaviour management and self-regulating techniques. When unacceptable conduct issues arise that cannot be resolved or cause disruption to learning for the person themselves or any other learner, informal and formal processes may be followed. In these circumstances, staff will deal with the matter in accordance with this procedure. A Disciplinary Flow Chart can be found at **Annex A**.

2. Code of Conduct for Learners

The Code of Conduct explains how we expect learners to behave whilst taking part in learning activities. We also reserve the right to investigate incidents which occur off-site if they are on partner employer premises or are between learners or learner(s) and staff in any environment.

The Code of Conduct lists our expectations in terms of:

- Behaviour
- Attendance and punctuality
- Work/study performance

Learners are required to:

- Respect others, regardless of belief or culture, ability or disability, ethnicity, gender or gender identity, age, sexual orientation, or status.
- Show courtesy and respect to all.
- Show a positive commitment to their own development and learning and respect for other learners' development.
- Arrive punctually for any learning and assessment activity, including exams

Learner Code of Conduct and Disciplinary Procedure

- Arrive on programme ready to study, and not under the influence of any non-prescribed medication, substances or alcohol.
- Online learners are required to switch on cameras (if available) so they are able to fully engage and interact with the trainer and other learners
- Inform the Trainer or contact the centre if unable to attend any planned activity.
- Complete/produce all necessary documentation in a timely manner as required by the Education & Skills Funding Agency, End-Point Assessment Organisations and Awarding Bodies
- Take care of equipment, facilities and buildings and show respect for another person's property.
- Take due notice and care of health and safety and respect for the wellbeing of others, always use any PPE provided and report any accidents and incidents to COPA immediately.
- Talk to the safeguarding team, or any member of staff, with any personal issues that might impact on the ability to study or follow these guidelines or if any of these requirements prove difficult.

1. Misconduct:

The following are examples of behaviour which are considered as misconduct and may result in a learner's suspension or exclusion from a programme of study.

- Failure to follow Health & Safety Regulations.
- Conduct which prevents, obstructs, or disrupts teaching, learning or administrative activity.
- Failure to follow reasonable instructions.
- Disrupt or interfere with the education or learning of fellow learners.
- Repeated non-attendance or lateness.
- Not notifying the Trainer or centre of any absences.
- Disorderly behaviour or the use of bad or abusive language.
- Behaviour or language which is offensive to others.
- Lack of commitment and application to own learning and development.
- Misuse of the online learning platforms.

- Using mobile phones for personal use during learning sessions.
- Display or circulate any material which is designed to cause offence or distress to others.
- Causing damage to the premises, equipment, or property of others.
- Misuse of property and equipment, including IT equipment.
- Consume or possess toxic, dangerous or controlled substances.
- Arriving to work or study under the influence of substances, including alcohol.
- Showing disregard for inclusion and the promotion equality & diversity.
- Showing disregard for British values.
- Distributing offensive materials, the use of hate speech, promoting extremist ideologies or any other unlawful activity.

2. Gross Misconduct:

The following are considered examples of gross misconduct.

- Violence or a threat of violence.
- Drunkenness or illegal use of drugs whilst at work or in learning.
- Activity that is classified as illegal.
- Failure to follow health & safety instructions that may cause or have caused serious injury.
- Carry any weapon, or any other object with the intention or purpose of use in a threatening way.
- Attempts to radicalise others to join extremist groups, follow extremist ideologies, promote terrorism or call to action to take part in any terrorist activity.
- Distribution, in any medium, of unlawful materials including, sexting, extremist materials, offensive imagery or text.

3. Disciplinary Procedure

Principles

This learner disciplinary procedure is designed to:

- ensure procedural fairness.
- encourage all learners to meet the standards of conduct, attendance and work performance required by COPA.
- ensure consistent and just treatment for all regardless of their age, ethnic origin, gender, disability, sexual orientation, marital status, religion or belief.
- ensure that the facts are established, and the matter is investigated fully before disciplinary action is taken.
- ensure that learners know what is expected of them.
- ensure that learners are given access to a fair hearing.
- ensure all learners obtain the maximum opportunity to thrive.

Each case is investigated on its own merits, and decisions are normally based on the balance of probability that an incident did or did not take place.

The procedure applies to all individuals enrolled as a learner with COPA.

Learners have the right to be accompanied by a parent, person with parental responsibility or friend at all stages of the procedure, as a supporter. It is their responsibility to contact the learner's supporter. The role of the supporter is to provide moral support and ensure learners have understood the process and any questions being asked. It is not the role of the supporter to speak on the learner's behalf or answer questions.

1. Learning standards

If learners fail to meet the required standards of academic or vocational performance – for example if learners:

- fail to submit work.
- submit work late for assessment.
- fail to produce work which is original or of an appropriate standard.
- are regularly late or absent.
- improper use of artificial intelligence
- plagiarise work.
- cheat

Learners will be given support to help them improve. If, however, they fail to show an acceptable level of improvement, disciplinary action may be taken. Any cheating, plagiarism, or late submission of work will result in work being referred or failed.

2. Gross misconduct

Gross misconduct is generally seen as serious misconduct where COPA considers that it is not possible to continue to allow the learner to study at our centre or be on centre premises.

In the event of gross misconduct involving aggression, violence, or any form of discrimination, the learner will be removed from COPA premises to ensure the safety of other learners and staff, if the learner is under the age of 18, the parents or guardians must be contacted and informed of the situation.

A full investigation may be required to establish the cause or any triggering behaviours that could contribute to an unwanted situation. Where gross misconduct is considered, it would normally result in the exclusion from COPA, pending investigation outcomes.

While it is not possible to compile a comprehensive list of offences which can be termed gross misconduct, examples are given in this document.

3. Criminal activity

COPA will report criminal activity to the police. If an incident is serious and of a criminal nature, we may defer disciplinary action pending the outcome of criminal proceedings. We maintain the right to suspend the learner until the outcome of the proceedings is known.

In the event of suspected radicalisation or terrorist activity, a referral to Prevent and Channel coordinators will be made.

Where learners have a social worker or probation officer, COPA will also inform them of the incident.

4. Stages of the Disciplinary Procedure

The following procedure will be used if learners breach the Code of Conduct:

5. Informal stage

For non-serious or minor or first instances of misconduct, the trainer may deal with the incident by means of an informal verbal warning or providing or signposting the learner to suitable support or training to deal with behaviour management and self-regulation. In such instances learners will be advised:

- of the Learner's Code of Conduct
- of the standards of behaviour expected
- that any further misconduct will be dealt with formally under COPA's Disciplinary Procedure

6. Formal Stage

For more serious or repeat instances of misconduct, the tutor will deal with the incident using the formal disciplinary procedure. In such instances:

- the learner may need to be removed from the learning environment and suspended where necessary.
- the learner will be informed that they are going to be subject to the formal disciplinary procedure.
- the employer will be informed (where required)
- if under 18, parents/guardians will also be informed.

7. Investigation

A thorough investigation into the alleged misconduct will take place before a disciplinary interview is held or any disciplinary action taken. This is likely to involve interviewing and gaining information from staff and learners who were involved or witnessed the alleged misconduct.

Staff or learners have the right to choose not to take part in the investigation. Learners involved in the investigation may be accompanied by a parent.

8. Outcome and action

The following outcomes of the disciplinary investigation are possible:

- no case to answer
- allegations appear to be substantiated and there is a case to answer.

Where there is a case to answer, disciplinary action will be taken within the following disciplinary framework.

9. Disciplinary Framework

Recorded verbal warning.

In cases too serious for informal action, or where misconduct persists despite an informal warning, learners will be given a recorded verbal warning.

In such instances the tutor will:

- Issue a copy of the Learner Code of Conduct and Disciplinary Procedure
- Hold a disciplinary interview.
- Inform the person with parental responsibility for under 18s
- If appropriate, issue learners with a verbal warning, recorded on a disciplinary record form, signed by the learner.
- Retain a copy of the form on file.
- Provide the learner with a copy of the form.
- Send a copy of the form to the school – where appropriate

- Advise learners that, if any future misconduct of any kind occurs, further disciplinary action will be taken.

First Written Warning

If further misconduct occurs or behaviour does not improve after a recorded verbal warning, a first written warning may be given. Alternatively, if the misconduct is deemed more serious, we may proceed directly to the first written warning stage.

In such instances the tutor will:

- Issue a copy of the Learner Code of Conduct and Disciplinary Procedure
- Hold a disciplinary interview.
- Inform the person with parental responsibility, if under 18
- Confirm the outcome in writing within 5 working days of the disciplinary interview, sending a copy to the persons with parental responsibility, for under 18's.
- Record the action taken.
- Retain a copy of the record on file.
- Send a copy of the record to Quality Manager

Final Written Warning

If further misconduct occurs following the previous warnings, a final written warning may be given. Alternatively, where serious misconduct has occurred, this may result in an immediate final written warning.

In such instances, the steps detailed for the 'first written warning' will be carried out.

Additionally, learners will be informed that further misconduct or failure to meet the conduct of behaviour and standards expected will result in exclusion from COPA.

Details of recorded verbal warnings and written warnings will remain on file for 12 months from the date of the warning being issued. Failure to attend a disciplinary interview will result in a decision being made in the learner's absence.

Exclusion from COPA

If misconduct persists despite the final written warning, or in instances of gross misconduct, will result in the exclusion ed from COPA.

In the event of gross misconduct involving aggression, discrimination or violence, the learner may be removed from COPA premises immediately to ensure the safety of other learners and staff. If the learner is under the age of 18, the school and the parents or guardians must be contacted and informed of the situation; it is their responsibility to collect the learner. Where required, the learner's social worker or probation officer may also receive notification.

In such instances the steps detailed for 'written warnings' will be carried out and a disciplinary interview held.

Learners who are excluded from COPA will receive a letter stating the reason for the exclusion and the conditions placed on any future return to COPA. Any breach of the terms of the

exclusion, for example by being on COPA premises without valid reason, may result in the period of exclusion being extended.

Suspension

In cases where the alleged misconduct is serious and/or it may be detrimental to the smooth running of the course and/or centre for learners to remain on site, suspension may need to be considered while the case is being investigated.

In such cases learners will be informed of the reason for their suspension. The school and parents/guardians will be informed for under 18's.

The period of suspension will be kept to a minimum but will be no longer than four weeks (unless we are awaiting the outcome of criminal proceedings).

Appeals

Under the disciplinary framework, appeals are permitted at all stages except recorded verbal warning. Learners must submit any appeal in writing, within 10 working days of receipt of the warning/exclusion letter. The letter will state to whom the appeal should be made.

The manager conducting the appeal will conduct an appeal interview with the learner and notify them of the decision in writing within 10 working days.

Records of disciplinary action

Details of written warnings, exclusions, suspensions, and appeals will be kept on file for 12 months from the date of the disciplinary action.

Annex A - Disciplinary Procedure Flowchart

