Item 09
For Approval

GLASGOW KELVIN COLLEGE

Learning and Teaching Committee – 2 March 2022

Code of Learner Behaviour

Report by Vice Principal Curriculum and Quality Enhancement

1. Introduction

The College's Code of Learner Behaviour is due for review. The Code was recently considered by the Academic Board and no changes are proposed. It is proposed that the next review is scheduled for 2024.

2. Code of Learner Behaviour

Attached is the College's Code of Learner Behaviour which details expected levels of behaviour of all College learners, and sanctions should behaviour fall below these expectations. Application of the Code is supported by the Student Charter a copy of which is also attached. No changes to the Code of Learner behaviour are suggested by the Academic Board.

3. Resource Implications

No resource implications are identified as a direct result of this report.

4. Equalities

No equality issues are identified as a direct result of this report.

5. Risk and Assurance

No risk implications are identified as a direct result of this report.

6. Data Protection

No data protection issues are identified as a direct result of this report.

7. Recommendations

Members are recommended to:

i. review and approve the attached Code of Learner Behaviour, subject to any amendment.

8. Further Information

Members can obtain additional information on the contents of this report from Robin Ashton, Vice Principal, Curriculum and Quality.

Appendix

Code of Learner Behaviour

Document Control Information	
Reviewed by the SCM Quality Forum:	-
Approved by the Academic Board:	April 2021
Date of Next Review:	Sept 2021 TBC

The persons/committee responsible for this document reserve the right to amend this document at any time should the need arise. All appropriate staff will be informed should this occur.

1. Statement of Purpose

Glasgow Kelvin College, Code of Learner Behaviour provides clarity of expected levels of behaviour of all College learners when undertaking all elements of College activities. It will assist College staff to provide an environment that is welcoming to all and is conducive to effective learning whilst promoting a positive and inclusive learning environment. It will be issued to staff and available to all students as part of their college induction programme. Where this code is invoked its purpose is to bring about an improvement in learner behaviour.

2. Learner Obligations

The College has a Student Charter displayed in each learning area, the College programme guide and College Web Site. The Student Charter outlines the expectations learners can have of Glasgow Kelvin College and of the learners themselves, it is envisaged that when invoking the Code of Learner Behaviour that the Student Charter should also be referred to. It should be available to learners at induction.

Learners are required to complete and sign an enrolment form, or enrol electronically. This is a "contract" with the College and commits learners to the responsibilities contained in the Student Charter. The responsibilities are designed to ensure that learners, individually and collectively, are able to achieve their full potential as a consequence of engaging in an effective formal and informal learning process.

The responsibilities established in the Student Charter require that learners will:

- be respectful and courteous to all;
- participate fully in College life and shape its future direction;
- attend classes and complete work on time to fulfil their potential;
- be responsible for their own learning and progress;
- have a student voice and be represented on the Board, its committees and other College committees;
- explore and enjoy their learner journey in and out of the classroom;
- build relationships to grow and develop citizenship skills; and
- take responsible care of their own health and safety and that of others.

In light of the current Coronavirus pandemic any actions which pose a risk, real or potential, to the safety of learners and staff, or can be considered a direct contravention of College COVID-safe arrangements will not be tolerated and addressed through behavioural sanctions, including permanent exclusion from the College.

2.1 Code of Academic Standards

This assures that the College can respond to malpractice in assessment as required by the awarding bodies it works with.

Malpractice in Internally Assessed Qualifications Policy and Procedure

The following are examples of candidate malpractice, but staff should be vigilant to other instances of suspected malpractice that may undermine the integrity of qualifications. Examples could include:

- Plagiarism — failure to acknowledge sources properly and/or the submission of another person's work as if it were the candidate's own;
- Collusion with others when an assessment must be completed by individual candidates;
- Copying from another candidate (including using ICT to do so) and/or working collaboratively with other candidates on an individual task;
- Personation — pretending to be someone else;
- Inclusion of inappropriate, offensive, discriminatory or obscene material in assessment evidence;
- Frivolous content — producing content that is unrelated to the assessment;
- Unauthorised aids — physical possession of unauthorised materials (including mobile phones, electronic "sharing" devices, notes etc) during a controlled assessment;
- Misconduct — inappropriate behaviour during an assessment that causes disruption to others. This includes shouting and/or aggressive behaviour or language, and having a prohibited electronic device that emits any kind of sound in the assessment room; and
- Breaching the security of assessment materials to threaten the integrity of any exam or assessment.

A breach in these guidelines could result in the learner repeating the assessment, withdrawal from certification, or suspension from the course.

3. Standard of Behaviour

Learners are responsible for their behaviour while at College and expected to treat staff and fellow learners with courtesy and respect at all times.

College staff have a responsibility to ensure that its learning environment is appropriate to the needs of all learners and to enforce health and safety procedures during all College activities.

Everyone has a responsibility to challenge unacceptable behaviour which is and likely to disrupt or degrade the learning experience of other learners. For example, all behaviour which contravenes GKC - Equality, Diversity and Inclusion Policy

It is anticipated that if College staff are required to challenge behaviour they find unacceptable that learners will respond appropriately and the exhibited behaviour will improve.

In the unlikely event that an individual or group of individuals continues to display unacceptable behaviour the College has identified a number of sanctions available to staff with a view to correcting the unacceptable behaviour.

4. Behavioural Sanctions

The College has identified a number of sanctions below which may be applied in the event of unacceptable behaviour on the part of learners. The type of sanction will depend on the student and the extent of the unacceptable behaviour.

Staff have a responsibility to treat learners with courtesy and respect at all times and exercise a duty of care to all learners on behalf of the College. In the application of these sanctions, learners will not normally be excluded from a class and never sent home from the College without referral to a member of College staff at Senior Curriculum Manager or above.

Glasgow Kelvin College promotes its responsibilities as a corporate parent actively. Additional interventions should be made when supporting learners attending college on EVIP/Youthstart/ Transitions and Youth Access programmes accordingly.

In these circumstances, all reasonable efforts should be made to include learners in college activities. If it is felt that learners have to be removed from college activity then the Parent / Guardian is made aware immediately of reasons of suspension and length of time the learner will be excluded from. In addition, staff delivering Youth Access sessions will also have the authority to invoke precautionary suspensions whilst ensuring Senior CLD Worker and SCM are made aware of decisions.

In the event that a learner breaches the Code of Learner Behaviour and, normally, after being given the opportunity to be heard, the learner may be:

i) Informally reprimanded. An informal reprimand will not normally be recorded;
ii) Formally reprimanded in writing;

iii) Temporally suspended from attendance at the College or College activities; or
iv) Excluded from the College and College activities.

Any learner who is the subject of one or more of the above sanctions will have the right of appeal against the sanction to a more senior member of College staff.

The learner will be informed in writing and a record maintained by the Director of Faculty of the outcome of any formal behavioural sanction. Where appropriate the College may inform the learner's parent (if they are under the age of 18), employer or other sponsoring agency (if they pay the learner's fees) of action taken and the reasons for that action.

In circumstances where there is a breach of the law, the College will normally be required to inform the police in addition to any sanctions it applies. In addition, the College may institute proceedings, which would seek to require learners (or their legal guardian) to pay for any damage wilfully and deliberately caused to its property.

5. Application of Behavioural Sanctions

Responsibility for the application of this Code of Learner Behaviour rests with the Board of Management of Glasgow Kelvin College. The Principal is delegated to implement the Board's Code of Learner Behaviour and certain functions within the Code are delegated to members of staff in the College (Appendix 2).

In all cases, relating to the application of a behavioural sanction the individual who is the subject of the sanction will have the right to be heard prior to the application of the sanction.

In exceptional circumstances where it is necessary to protect the individual, the health and safety of other learners, or the learning environment of other learners, a precautionary temporary suspension may be applied. This type of suspension is to be used as a precautionary measure and a hearing normally arranged within five college days – delegated as appropriate to either the: Senior CLD worker, Curriculum Manager, Senior Curriculum Manager, Director of Faculty, Vice Principal, or Principal.

In such circumstances a hearing convened to consider the matter which gave rise to such action will normally take place within 5 College days. The precautionary suspension will apply until the hearing.

The College staff involved will make a record relating to all formal behavioural sanctions. All documents retained by the college administration staff, with a note of the sanction made within the learner's Unit-e record. No other records

relating to these matters will be kept by members of College staff.

A learner who is to be the subject of a behavioural sanction has the right to a hearing before the application of that sanction. This excludes a precautionary suspension when the hearing will be the next College day.

The opportunity for the learner to be heard should be informal and organised in a non-intimidating manner. A broad outline for the conduct of a hearing is given in Appendix 3.

Learners will have the right of appeal against any formal behavioural sanction applied against them. The appeal will normally be heard by the next senior manager within twenty-one days but this may be varied in appropriate circumstance. The appeals procedure is outlined in Appendix 4. Unless there are extenuating circumstances, it will be normal for the sanction to be applied awaiting the outcome of the appeal hearing.

There shall be no further right of appeal within the College.

At all times this Code of Learner Behaviour will be applied within the terms of codes and legislation, which applies to the College. The main documents that likely to apply are the:

- Student Charter
- GKC - Safeguarding Children, Young People and Vulnerable Adults Policy and Procedure
- GKC - Equality and Diversity Policy
- GKC - Dignity and Respect Policy and Procedure
- Gender Based Violence Policy (awaiting approval)
- GKC - Alcohol, Drugs and Substance Misuse Policy
- GKC - Health and Safety Policy
- GKC - No Smoking (Smoke Free) Policy
- GKC - ICT Acceptable Use Policy
- GKC - Data Protection Policy
- GKC - Copyright Policy

6. Learning and Teaching Committee

Members of the Learning and Teaching Committee will be informed of all permanent exclusions and the reasons for such action. Normally papers related to such decisions considered at the Learning and Teaching Committee will not be lodged, for reasons of confidentially, in the public domain. Similarly, minutes of any decision discussed will not identify the individuals concerned.

Files relating to such decisions will be available on a confidential basis, from the

Director of Faculty, to members other than those with a potential conflict of interest (notably learner and staff representatives).

Appendix 1

Learners Attending School or Otherwise in the Care of a Local Authority

All decisions relating to learners of school age, attending local secondary schools or otherwise in the care of a local authority, are notified to the appropriate head of service. This will be the Director of Education or the Director of Social Work respectively.

It is the responsibility of Directors of Faculty to bring any concern of this nature to the immediate attention of the Vice Principal who will recommend that the Principal notify the appropriate head of service. This notification will normally be sent by recorded delivery within five College days.

It is particularly important that where the College makes a decision to exclude a school age learner from any College activity during school hours that the learner is returned to their school or care setting. Appropriate arrangements will be made to escort such learners to their school or care setting.

The College reserves the right in specific circumstances to terminate a school age learner's placement with the College. This will be communicated in advance to either the Director of Education or the Director of Social Work. Copies of correspondence will also normally be sent to the learner's school or care setting.

EVIP Learners and Transitions Learners

EVIP and Transitions to Learning and Work learners are among some of the most disadvantaged and furthest away from a positive learner journey. These learners require a more flexible approach to discipline to help develop their behaviour more positively and ensure they remain in education as far as is practicable under the acceptable behaviour policies. Behaviour and sanctions should be managed by lecturers/CLD workers, then Senior CLD Workers, CM and SCM respectively. Some support may be needed from external agencies and these should be signposted for staff dealing with these young learners.

Appendix 2

Behavioural Sanctions Delegated to Members of College Staff

The Principal has delegated authority within the College's Scheme of Delegation to implement the Board's Code of Learner Behaviour**.**

Informal Sanctions:

Verbal reprimand to individuals or groups of learners – delegated to all College staff.

Formal Sanctions:

- **Formal written reprimand** – delegated to Curriculum Manager, Senior Curriculum Manager, Director of Faculty, a Vice Principal, and the Principal.

Temporary suspension from College or College activities for:

- a full-time learner for up to a maximum of five days on which they would normally have attended classes;
- a learner attending on any other mode of attendance for up to a maximum of the next six occasions on which they would have normally attended.

This is delegated to the Senior Curriculum Manager, Director of Faculty, a Vice Principal, and the Principal. Youth Access staff have the power to impose a temporary suspension of a learner's activities with the College for a persistent breach of the Code of Learner Behaviour for a period of up to two weeks. The suspension will apply immediately but must be reviewed by a Senior Curriculum Manager or Head of Service within forty-eight hours.

Temporary suspension from College or College activities for:

- a full-time learner for up to a maximum of ten days on which they would normally have attended;
- a learner attending on any other mode of attendance for up to a maximum of the next twenty occasions on which they would have normally attended.

The following sanction would be considered in relation to a more serious breach of the code – delegated to Director of Faculty, a Vice Principal, and the Principal:

- **Exclusion from the College and College activities for the remainder of an academic year** - Director of Faculty, a Vice Principal, and the Principal.
- **Exclusion from the College and College activities for a period of up to three years** - Director of Faculty, a Vice Principal, and the Principal.

As stated in Section 5 – in exceptional circumstances where it may be necessary to protect the individual, the physical and other safety of other learners, or the learning environment of other learners a precautionary temporary suspension may be applied.

Appendix 3

Conduct of a Hearing Related to Behaviour

The procedures which will apply at a hearing related to behaviour are outlined below:

- A hearing will be convened as soon as possible.
- The individual will be invited to the hearing by means of a recorded delivery letter.

The letter will indicate:

- the date, time and place of the hearing;
- the behavioural matter to be discussed;
- the right of the individual to be accompanied by a friend, colleague or member of the College Student Association Executive Committee.

The hearing:

- The hearing will begin by an appropriate manager conducting the hearing introducing everybody present.
- The purpose of the hearing will be explained by the manager conducting the hearing and the behavioural matter to be discussed will be explained.
- The member of College staff making the allegation will be asked to explain the reason why the learner's behaviour was unacceptable.
- If the learner fails to appear at the hearing, appropriate documentation should be submitted before the stipulated time of the hearing. Without this, the hearing may proceed and a decision may be made in the learner's absence.
- The learner will be given an opportunity to explain their behaviour. Normally the individual accompanying the learner will be given an opportunity to address the hearing but will not be able to speak on behalf of the learner.
    - However in some circumstances there might be grounds for such support. These should normally be agreed with the manager conducting the hearing a minimum of one College day prior to the hearing. Grounds which might convince a manager to accept such a position could, for example, include a specific communication difficulty or medical condition.

The manager conducting the hearing:

- may ask questions of either party but cross questioning will not be allowed
- will draw it to a close by asking each party for final comments

- will conclude it by informing the learner that they will be informed in writing of the outcome within five College days
- will make a decision on the facts of the case and write to the learner with the outcome. If appropriate the learner should be informed of their right of appeal. This will normally be conveyed by recorded delivery letter within five College days.

Appendix 4

Appeal Procedure

The procedure which relates to an appeal made against formal behavioural sanctions is outlined below:

- An appeal must be made formally in writing by post or email to the Director of Corporate Services within five College days of the learner being informed of the original decision. (Email: lisaclark@glasgowkelvin.ac.uk)
- An appeal hearing will be convened by the Principal as soon as possible but not later than twenty-one days from the learner's formal request for an appeal.
- An appeal panel will consist of two senior College managers who have not been involved in the case. This would normally be a Director of Faculty, or a Vice Principal. There may be other observers at the Principal's discretion.
- The learner shall be invited to attend by letter informing them of the date, time and place of the hearing and the behavioural matter to be considered.
- If the learner fails to appear at the hearing, appropriate documentation should be submitted before the stipulated time of the hearing. Without this, the hearing may proceed and a decision may be made in the learner's absence.
- The learner may be accompanied by one friend, colleague, parent, member of the College Student Association Executive Committee or representative of the National Union of Students and both the learner and the accompanying person will have the right to be heard.
- Should the learner wish to be accompanied by another adviser the Principal should be notified by letter five College days prior to the hearing. The Principal may, in such a case, decide to have appropriate additional representation.
- Both the College and the learner may call witnesses and produce written evidence. It is the responsibility of the learner to arrange the attendance of any witnesses they wish to call in support of their case.

The appeal Panel shall have the right to:

- set aside any decision to apply a behavioural sanction against a learner;
- confirm or decrease a period of temporary suspension from the College or College activities;
- confirm a permanent exclusion from the College and College activities; or

- substitute a period of temporary suspension for a permanent exclusion from the College and College activities.

The decision of the appeal Panel will be final and its decision will be communicated to the learner in writing by recorded delivery.

We work in partnership with our students so they can make the most of their learning experience and feel proud to be a Glasgow Kelvin College Student.

We have expectations of our students and we respect that you will also have expectations of us as we form a partnership to reach our goals.

STUDENT CHARTER

We expect you to:

- Be respectful and courteous to all
- Engage actively in your learning to achieve your goals
- Participate fully in College life and to shape our future direction
- Attend classes and complete work on time to fulfil your full potential
- Be responsible for your own learning and progress
- Have a student voice and be represented on the Board, its committees and other College committees
- Explore and enjoy your learner journey in and out of the classroom
- Build relationships to grow and develop citizenship skills
- Take responsible care of your health and safety and that of others.

You can expect us to:

- Provide an equitable, inclusive and welcoming environment
- Facilitate learning to help you achieve your goals
- Provide opportunities to co-create your learning and support you to shape your learner journey
- Provide learning resources, ongoing support and feedback
- Facilitate freedom to express and debate views within the law
- Provide access to a range of services to support your needs
- Offer impartial guidance to support all stages of your learning journey
- Provide opportunities to be active in the student association and wider College activities
- Provide you the opportunities to be represented at all levels of College life
- Treat you with respect in line with College values, policies and procedures
- Protect all collected student data in line with our GDPR Privacy Notice
- Be responsible for your Health and Wellbeing while attending College

Glasgow Kelvin College

THE KEY TO SUCCESS IS YOU