




The GTA Learner Behaviour & Discipline Policy

This policy applies to all members of GTA (including staff, learners, volunteers, carers and visitor users) who access training at the GTA

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Introduction

The main aim of the Learner Behaviour and Disciplinary Policy and Procedure is to provide a framework to promote positive behaviour within which learner misconduct will be investigated. The Doncaster, Rotherham, and District Motor Trades GTA Ltd (GTA) has expectations of learners are outlined in the learner handbook and relate to:

- Lack of work on the course
- Not studying in the Learning Centre or elsewhere as required
- Unauthorised absence
- Repeated lateness
- Smoking or drug taking in the Centre
- Displaying anti-social behaviour
- Abusive behaviour including bullying and harassment
- Not meeting deadlines for set work
- Not complying with Health and Safety Regulations
- Misconduct, bad language, and unruly behaviour
- Use and misuse of GTA property and premises
- Plagiarism
- IT abuse
- Health and Safety issues

This, however, is not an exhaustive list.

The expectations apply when learners are engaged in GTA activities, and this may not necessarily mean that they are on GTA premises. For example, the policy will still apply if learners are representing the GTA or are engaged on a GTA trip, event, placement, or work-based learning.

Disciplinary actions will be included within a learner's record for a minimum period of 6 months and may be referred to in references or personal statements required by learners in respect of employment and university applications.

Policy Statement

The welfare and well-being of all users of the GTA depends on the reasonable and disciplined behaviour of GTA members. The behaviour and disciplinary procedure is designed to help learners achieve and maintain the high standards set by the GTA and to ensure consistent and fair treatment for all, by setting out the actions which will be taken if GTA rules are broken.

Procedure

- The rules and regulations that the GTA operate are reasonable and if learners are unsure about any aspect of the scope of the GTA's expectations regarding their behaviour and conduct, then they should discuss the matter with their Operations Manager.
- In line with GTA culture, all members of GTA staff have a responsibility to ensure that positive behaviour is encouraged, learner discipline is maintained and that learners are clearly informed of expected behaviour.
- The procedure is designed to deal with facts in a fair, supportive, and consistent manner.
- Disciplinary action will not be taken until allegations have been fully investigated
- At every stage in the disciplinary procedure, learners will be given details of the complaint against them and given the opportunity to state their case before any decision is made.

- The procedure may be implemented at any stage depending on the seriousness of the alleged misconduct.
- If a learner feels he/she has been unfairly treated, then he/she has a right to appeal against any disciplinary penalty.
- At every stage, consideration will be given to the needs of the learners in line with the GTA's Equality policy. Examples include the method of providing information to the learner, consideration of their individual needs when setting up the timing and location of meetings, provision of feedback to the learner and consideration of any additional needs, for example, ADHD when assessing whether behaviour merits disciplinary action.
- Instances of disciplinary will be monitored to the equality strands and included within Equality and Diversity monitoring reports.

The Disciplinary Framework

1.1 Learners with Additional Needs

Where a learner has additional needs or mental health issues which have a substantial impact on their behaviour, consideration will be given as to whether this behaviour has caused the unacceptable behaviour. This does not mean that disciplinary action is not still appropriate (for example where learners with food intolerances knowingly eat large quantities of sugars or learners deliberately fail to take medication).

1.2 Parental and Carer Contact

Parents will be informed of any disciplinary actions where a learner is under the age of 18 at the start of their course unless that learner has previously expressly withdrawn their permission for us to have contact with their parents/carers.

1.3 Learners 14-16

Where a learner attends a GTA collaborative programme they will be subject to their home school disciplinary procedures, or a common procedure agreed upon by the GTA. Infringement of the GTA behaviour rules should be reported to the appropriate school contact and clear actions should be agreed. It is important that GTA staff work closely with school staff in such situations to ensure continuity and clear expectations for the learner.

1.4 Higher Education Learners

Where learners attend a GTA programme as learners of partner organisations, they may be subject to disciplinary action by either the GTA or the organisation. Behaviour such as bullying, disruption and alcohol misuse will be dealt with by using the GTA policy. Failure to submit work and plagiarism will be reported to the relevant organisation and may also be dealt with under their procedures. On some professional courses, unprofessional behaviour on the programme will also be reported to the organisation and may result in action under both procedures.

1.5 Induction Period

Doncaster, Rotherham and District GTA is committed to ensuring that learners are enrolled on the right course. The induction period is to demonstrate that this is the case. Where a learner's behaviour during this period (e.g. non-submission of work, non-attendance without appropriate cause, attitude or behaviour in class) does not demonstrate appropriate commitment to the course, a learner may have their place withdrawn without the use of the disciplinary procedure. Where this is the case, the tutor will make it clear to the learner where their behaviour/performance is not acceptable and will give clear guidance on expected performance or improvements to behaviour. If the performance/behaviour does not improve the tutor will discuss with the learner continuance on the course and inform them if the place is to be withdrawn. Prior approval from the appropriate manager should be obtained. The Chief Executive is to be kept informed of the matter, and they must be assured that the process has been adhered to, and appropriate evidence provided.

Where the learner does not continue the course, the tutor should ensure that appropriate guidance is offered in relation to alternatives or make suitable referrals to GTA's marketing team or IAG officer. Parents/carers should be informed before a decision is made to withdraw a learner's place.

1.6 Preliminary Informal Actions (PA)

Any minor infringements of GTA policy or behaviour expectations will be dealt with informally by members of the GTA staff for the benefit of the learner or others. Learners must be made aware of any minor infringements (for example non-attendance of a session without authorisation, a first missed deadline) and be given clear guidelines to improve. Targets to achieve the required behaviour should be included in the learner's records. If the matter is more serious than a minor infringement and a learner's conduct or performance continues to be unsatisfactory, formal disciplinary action may be taken.

1.7 Stage One - "Formal Verbal Warning" (S1)

This warning is issued by the Operations Manager. Other members of staff may request a Stage 1 warning by discussion with the Operations Manager. After discussions with the learners, the Operations Manager may issue or decline the warning request. If a request is declined, the Operations Manager must provide justification for the rejection, for example, genuine extenuating circumstances.

When a formal verbal warning is issued by the Operations Manager, the learner will be told why their conduct or performance does not meet an acceptable standard. They will be made aware of what they must do to meet a level which is acceptable. *Notification of Warning* (Appendix 1) will be completed with a copy provided to the learner and a copy kept by the course tutor and Operations Manager.

The Parent/Guardian/Carer of those who are under 18 years old will receive a copy of the warning and action plan (Appendix 1).

1.8 Stage Two "Formal Written Warning" (S2)

If the offence is serious, or if a further offence occurs, then the learner will receive a written warning following a meeting with the Operations Manager (Appendix 2). This will be issued by the Operations Manager. They will be told why their conduct or performance does not meet an acceptable standard. They will be made aware of what they must do to meet a level that is acceptable. The *Notification of Written*

Warning document will be completed, with a copy given to the learner and a copy kept by the course tutor and Operations Manager.

The Parent/Guardian/Carer of those who are under 18 years old will receive a copy of the action plan and written warning (Appendix 1 and 3). The learner will receive a copy of the action plan and notification of a written warning. The learner will be made aware of their right to appeal (Appendix 2).

1.9 Stage Three – “Final Written Warning” (S3)

If a learner’s conduct or performance is still unsatisfactory or if their misconduct is serious enough to move straight to a written warning but insufficiently serious to warrant exclusion, they will receive a Final Written Warning. This will be issued by the Operations Manager. The learner will be made aware of what they must do to meet a level which is acceptable. An action plan will be completed and placed in the learner’s records for as long as they stay at the GTA (Appendix 1). The ‘Notification of Final Written Warning’ will be completed, with a copy given to the learner, the course tutor, Operations Manager, and the Chief Executive (Appendix 4).

The Parent/Guardian/Carer of those who are under 18 years old will receive a copy of the action plan and warning (Appendix 1 and 5). The learner will be made aware of their right to appeal.

2.0 Stage Four – “Temporary” (TE) and “Permanent Exclusion” (E)

If a learner’s conduct or performance is still unsatisfactory or the misconduct continues and they fail to meet the actions required, he or she will be temporarily excluded for a specified period or permanently excluded. The decision will be made by the Operations Manager. The learner will be given written reasons for their exclusion (Appendix 6) and the parent/guardian/carer of those who were under 18 years old at the start of their course and employers of employed learners will be informed (Appendix 7).

A learner who has been excluded from the GTA may be re-admitted at a later stage, but re-admission will depend upon a satisfactory interview with the Operations Manager. An excluded learner must not access any GTA site without explicit permission from the Operations Manager.

2.1 Gross Misconduct

Where an act of gross misconduct has been alleged, a learner could be suspended from the GTA pending investigation. If a learner is found to have made knowingly malicious or misleading accusations against another, they themselves could face the disciplinary process.

The learner will be given written reasons for their temporary suspension (Appendix 6) and their parents/guardian/carer or employer will be informed (Appendix 7). If on completion of the investigation of the alleged offence, the GTA is satisfied that gross misconduct has occurred, the learner will be excluded from the GTA in accordance with Stage Four of the Disciplinary Procedure. The decision will be made by the Operations Manager or Chief Executive.

The following list provides examples of offences which are regarded as gross misconduct:

- Theft; fraud; falsification of records
- Fighting
- Being under the influence of alcohol or drugs
- Bringing drugs or illegal substances into GTA with the intent to sell to others
- Bullying or harassment of others
- Vandalism of GTA property
- Using foul, abusive, or threatening language to a member of the GTA staff, learners, or visitors
- Misuse of GTA equipment including computers
- Deliberate plagiarism
- Committing any criminal offence on the GTA site

2.2 Appeals (for verbal, written and final written warnings)

All appeals should be made in writing within 5 working days to the Operations Manager, clearly stating the grounds on which the learner will base their appeal.

Where an appeal against a disciplinary decision is received an appeals meeting should be convened to include the Operations Manager or a Chief Executive as appropriate and review the information used to make the decision. This may require discussion with the learner making the appeal and others involved in the process.

The manager chairing the appeal will post a written decision to the learner within 5 working days of the appeal hearing being held.

2.3 Appeal Against Exclusion

This appeal will be chaired by the Operations Manager or Chief Executive (depending on who gave notification of exclusion) and accompanied by other staff acting in an advisory capacity where appropriate. A minute taker will also be present, to produce a brief written record of the appeal. The excluded learner may be accompanied by a parent or friend (however they should not have been involved in the incident). The following procedure will be followed:

- The person who has recommended the exclusion of the learner will present their case as to why the learner was excluded. It is expected that supporting documentation from the learner file will be available e.g. copies of previous warnings, and records of attendance.
- The learner will have the opportunity to ask for clarification. At this stage, the learner will have the opportunity to present their appeal, as to why the GTA should overturn the exclusion.
- The person who has recommended excluding the learner may ask the learner for clarification.
- The Chair may ask the learner for clarification or further information and then summarise the points that have been made.
- The learner is then asked if they wish to add anything further before the meeting is closed. They are informed that a decision will be given in writing and will be posted to them within the next five working days.
- The Panel will then decide, this will then be conveyed in writing to the learner and (Appendix 8 or Appendix 9) copies of this letter will be lodged in the learner's personal file and copied to Administration for early leaver records and flagged on the Pics system to alert guidance should the person reapply to the GTA.
- Where possible the written record of the meeting will remain confidential, however, it may be necessary in certain circumstances to disclose certain information particularly when relating to child protection legislation.

- In the event of a learner being excluded they will be offered the opportunity of a progression interview and if under 19 referred to IAG officer.
- Once all appeal processes have been exhausted, the Operations Manager will be responsible for implementing the Early Leaver system. All membership cards, bus passes, learner support fund must be returned to the GTA.
- Learners who have been permanently excluded will be noted on the learner record system and should they reapply for courses in the future they will receive enhanced advice and guidance and the Operations Manager will approve readmission to the GTA.

Documentation

Appendix 1	Notification of Warning and Action Plan for Learner File
Appendix 2	Disciplinary Letter Notification of Written Warning (Learner)
Appendix 3	Disciplinary Letter Notification of Written Warning (Parent/Guardian/Carer/Employer)
Appendix 4	Disciplinary Letter Notification of Final Written Warning (Learner)
Appendix 5	Disciplinary Letter Notification of Final Written Warning (Parent/Guardian/Carer/Employer)
Appendix 6	Disciplinary Letter Notification of Exclusion/Temporary Suspension (Learner)
Appendix 7	Disciplinary Letter Notification of Exclusion/Temporary Suspension (Parent/Guardian/Carer/Employer)
Appendix 8	Disciplinary Letter Outcome of Appeal against Exclusion (Unsuccessful)
Appendix 9	Disciplinary Letter Outcome of Appeal against Exclusion (Successful)

Reference to Other Policies

Assessment, Internal Verification and Moderation
 IT Code of Conduct
 Equality Policy
 Health & Safety Policy
 Bullying and Harassment Policy

Appendix 1

NOTIFICATION OF WARNING AND ACTION PLAN FOR LEARNER FILE

Name of Learner: _____

Name of Operations Manager: _____

Please tick relevant box

- Formal Verbal Warning Letter to Parents Appeal
- Written Warning Letter to Learner
- Final Writing Warning Letter to Employer
- Suspension

A warning has been issued today because of:

I have met with to discuss the issues raised and I have agreed to improve my behaviour by:-

Issue	Action	By When	By Whom	Expected Outcome

A copy of the notification of warning and action plan and written warning will be kept on file for a period of 6 months.

Your parents/carer/employer may be informed (as discussed).

You will also receive a copy.

I understand why a written warning has been issued and I agree to the action plan. I have been informed of my right of appeal.

Signed: _____ **Name:** _____ **Role:** _____

Learner Signature: _____ **Date:** _____

Copies to: Tutor; Operations Manager

Appendix 2

Notification of Written Warning (Learner)

Name	Our Ref:	
Address	Date:	
	Direct Dial No	01302 832831
	E Mail :	richardappleyard@doncastergta.co.uk

Dear (Name)

Following your meeting with **(Name)** which you attended on **(Day) (Date)**, this letter serves as a Written Warning.

If there is no improvement in your behaviour, the GTA will have to consider taking further disciplinary action.

If you wish to appeal against this decision you should write to Operations Manager at the GTA. This should be received no later than five working days from the date of this letter and should give the reasons for your appeal.

You will then be invited to attend an appeal meeting to discuss what you have to say, and you may bring someone with you to that meeting. If you intend to bring a friend or relative to the appeal, please provide details of name and status of the accompanying support.

Yours sincerely

Name
Operations Manager

Copies to: Course Tutor for learner file

Appendix 3

Notification of Written Warning (Parent/Guardian/Carer/Employer)

Our Ref:

Date:

Direct Dial No 01302 832831

E Mail : richardapleyard@doncastergta.co.uk

Name

Address

Dear (Name)

Re: (Name of Learner)

I regret having to inform you that I have issued your son/daughter **(Name)** with a Written Warning as outlined in the notification of warning and action plan.

This behaviour is unacceptable. If there is no improvement in **(Name)** behaviour as outlined in the notification of warning and action plan, the GTA will have to consider taking further disciplinary action.

If you wish to discuss the situation, please don't hesitate to contact me on 01302 832831.

If you feel that **(Name)** has been unfairly treated, you have the right of appeal. This appeal must be submitted in writing to the Operations Manager and received by the GTA no later than five working days from the date of this letter. The letter must state the grounds on which you are making an appeal. If **(Name)** intends to bring a friend or relative to the appeal, please provide details of name and status of the accompanying support.

Yours sincerely

Name

Operations Manager

Copy to Course Tutor for learner file

Appendix 4

Notification of Final Written Warning (Learner)

Our Ref:

Date:

Direct Dial No 01302 832831

E Mail: richardapleyard@doncastergta.co.uk

Name

Address

Dear (Name)

Following your meeting with **(Name)** which you attended on **(Day) (Date)**, this letter serves as a **(Final)** Written Warning.

If there is no improvement in your behaviour the GTA will have no alternative but to remove you from your programme.

If you wish to appeal against this decision you should write to the Operations Manager at the GTA. The letter of appeal should be received no later than five working days of the date of this letter and the reasons for your appeal must be included.

If you intend to bring a friend or relative to the appeal, please provide details of name and status of the accompanying support.

Yours sincerely

Name

Operations Manager

Copy to Course Tutor for learner file

Appendix 5

Notification of Final Written Warning (Parent/Guardian/Carer/Employer)

Our Ref:

Date:

Direct Dial No 01302 832831

E Mail: richardappleyard@doncastergta.co.uk

Name

Address

Dear **(Name)**

Re: (Name of learner)

I regret having to inform you that I have issued **(Name)** with a Final Written Warning as outlined in the notification of warning and action plan.

This behaviour is unacceptable. If there is no improvement in **(Name)** behaviour as outlined in the notification of warning and action plan GTA will have to consider taking further disciplinary action.

If you wish to discuss the situation, please don't hesitate to contact me on 01302 832831.

If you feel that **(Name)** has been unfairly treated, you have the right of appeal. This appeal must be submitted in writing to the Operations Manager. This should be received by GTA no later than five working days from the date of this letter. Your letter must state the grounds on which you are making this appeal. If **(Name)** intends to bring a friend or relative to the appeal, please provide details of name and status of the accompanying support.

Yours sincerely

Name

Operations Manager

Appendix 6

Notification of Exclusion or Temporary Suspension (Learner)

Our Ref:

Date:

Direct Dial No 01302 832831

E Mail: richardappleard@doncastergta.co.uk

Name

Address

Dear **(Name)**,

I regret having to inform you that you have been excluded from GTA. This is due to **(details of incident/behaviour)**.

This behaviour is totally unacceptable.

If you feel that you have been unfairly treated, you have the right of appeal. This appeal must be submitted in writing to the Operations Manager to be received by GTA no later than five working days from the date of this letter. Your letter must state the grounds on which you are making your appeal.

This exclusion does not mean that you will never be re-admitted to GTA. Any future application will be treated on its merits. However, we would expect to see evidence of **(state expected behaviour)** and an interview with the Operations Manager will be required prior to any offer of a place being made.

You may find it useful to discuss other opportunities with an IAG Officer.

Yours sincerely

Operations Manager

Copies to: Tutor

Operations Manager

Operations Manager for learner file

Admissions Officer

Appendix 7

Notification of Exclusion or Temporary Suspension (Parent/Guardian/Carer/Employer)

Our Ref:

Date:

Direct Dial No 01302 832831

E Mail: richardappleyard@doncastergta.co.uk

Name

Address

Dear **(Name)**

Re: (Name of Learner)

I regret having to inform you that your son/daughter **(Name)** has been excluded from GTA. This is due to **(details of incident/behaviour)**. This behaviour is totally unacceptable.

If you feel that your son/daughter has been unfairly treated, you have the right of appeal. This appeal must be submitted in writing to the Operations Manager to be received by GTA no later than five working days from the date of this letter. Your letter must state the grounds on which you are making your appeal.

(Name's) exclusion does not mean that (he/she) will never be re-admitted to the GTA. Any future application will be treated on its merits. However, we would expect to see evidence of **(state expected behaviour)** and an interview with the Operations Manager will be required prior to any offer of a place being made.

Yours sincerely

Operations Manager

Appendix 8

Outcome of Appeal against Exclusion (Unsuccessful)

Our Ref:

Date:

Direct Dial No 01302 832831

E Mail: richardapleyard@doncastergta.co.uk

Name

Address

Dear **(Name)**

I am writing to you regarding your appeal against exclusion from GTA. After considering all the evidence, particularly your **(details of offence or number of warnings)** you are excluded from GTA as of today. This means that you do not attend any GTA activity on any site.

It does not mean that you cannot re-apply for a course in the future. The GTA will review each application on its merits. If you do re-apply the GTA will need to see evidence of **(example of what we want to see)** and an interview with the Operations Manager will be required prior to any offer of a place being made.

Can I suggest that you have a meeting with Careers Advisor to help you plan what to do next.

Yours sincerely

Operations Manager

Copy to Operations Manager for Learner file
 Admissions Officer

Appendix 9

Outcome of Appeal against Exclusion (Successful)

Our Ref:

Date:

Direct Dial No 01302 832831

E Mail: richardappleyard@doncastergta.co.uk

Name

Address

Dear **(Name)**

Re: Appeal against suspension held on (Date)

Chaired by (Name and Title)

I wish to inform you that following recommendations from **(Name of Chair)**, the GTA is prepared to give you a final opportunity to complete your programme successfully. You need to be aware that, given your previous disciplinary record, this is an unusual action for GTA to take. I have only agreed to this action on the strict understanding that you take the following action: -

(Action required here)

(Name of Chair) will monitor your attendance and performance and if it does not meet the agreed levels, you will be asked to leave GTA.

We have agreed to this final opportunity so that you can be successful in your programme and then progress to **(Details of expected progression)**. Please do not waste this opportunity.

I wish you every success.

Yours sincerely

Copy to Operations Manager for learner file
 Parent/Carer/Employer