

## Behaviour (of Students) Policy

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Purpose of Policy	This policy sets out our expectations of student behaviour whilst undertaking training at our facilities.
Date and Version of Policy	Version 1.01 (September 2010)
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Approved by:	Steven Wines, Chief Executive Officer

### 1. Policy Statement

The aim of the behaviour policy is to ensure that all students, as well as staff, clearly understand where the boundaries between acceptable and unacceptable behaviour lie. The Behaviour Policy is maintained through a system of rewards and sanctions which will be firmly, fairly and consistently applied and ultimately through exclusion.

Overall, the policy will:

- foster the ideals of hard work and individual standards of excellence
- promote self-discipline, respect for self and others, and a sense of responsibility towards New Career Skills and the community at large
- foster independence of thought and deeds within set boundaries
- ensure the health and safety of all students and staff
- be sensitive to the needs of differing ethnic and cultural groups
- encourage students to be ambassadors for the company

### 2. Introduction

New Career Skills is a provider of career change training and students come from across the country. We work, study and live alongside colleagues from all walks of life, from different educational and cultural backgrounds, from different faiths, from different countries and with varying abilities and disabilities.

Students and staff of the training centres, visitors and members of the community have the right to be treated with respect and dignity. The company has a firm commitment to equality of opportunity and as such will not tolerate harassment and bullying by students or any anti-social or criminal behaviour which can damage and disrupt the lives of other students, staff or other members of the community or bring the company into disrepute.

The company welcomes diversity and believes that every individual has the right to work and study in an environment which is free from discrimination on the grounds of age, gender, race, physical ability, sexual orientation or religion.

The company sets out a number of values which form the basis of our equal opportunity strategy:

- A spirit of co-operation and understanding between all students and staff based on mutual respect and trust
- A community that is built on tolerance and openness within high professional standards
- An environment of equality of opportunity that encourages an understanding and appreciation of the needs of others
- A commitment to dealing with oppressive behaviour, harassment or bullying
- A culture where diversity is celebrated and all students and staff are valued equally
- A culture where consideration and respect is given to members of the local community

All students and staff have a responsibility to act in a way which supports and promotes these values.

Every individual is also personally liable under the Sex Discrimination Act 1975, the Race Relations Act 1976, the Disability Discrimination Act 2005 and the Protection from Harassment Act 1997 for their conduct. Certain incidents of harassment may also render individuals liable to prosecution in courts of law, under either civil or criminal legislation. The company therefore has a legal as well as moral responsibility to eradicate harassment and bullying in those areas within its control.

### **3. General Principles**

- 3.1. All students are expected to behave in a courteous and respectful manner to fellow students, staff and members of the outside community.
- 3.2. Poor behaviour will not be tolerated and the Student Disciplinary Procedure may be invoked (see Section 6).
- 3.3. The following are indicative of types of breaches of discipline but is not intended to be exhaustive:
  - Disruption of, or interference with, academic, administrative or other activities of the company
  - Sexual, racial, physical or other harassment or behaviour which causes fear or distress to others, or threatening, abusive, disorderly or unreasonable behaviour
  - Behaviour damaging to race relations and equal opportunities policies
  - Conduct which prevents, obstructs or disrupts the holding or orderly conduct of any meeting in the centre or which would cause the centre to be in breach of its statutory duty to provide education and interfering with the due discharge of the company's duties
  - Conduct which constitutes a criminal offence
  - Conduct likely to damage or threaten the reputation of the company
  - Damage to, or wrongful treatment of, the property or equipment at any centre or any of its staff, students or visitors, or any action likely to cause injury to any person or impairing the health and safety of the premises or its occupants, or contravening the company's Health and Safety Policy.

- Action or omission which could cause loss, damage or injury or put others at risk
- The possession, use and/or supply of any controlled drugs as covered by the Misuse of Drugs Act 1971
- A breach of any of the company's rules, regulations, codes of conduct or procedures, or any failure to comply with any ruling made as a result of disciplinary proceedings, whether formal or informal.

3.4. Harassment and bullying can take a variety of different forms ranging from repeatedly ignoring a fellow student or subjecting them to unwelcome attention, to intimidation, humiliation, ridicule or offence. More extreme forms of harassment and bullying include physical threats or violence. Harassment and bullying may consist of a single incident or a series of incidents. Behaviour that may appear trivial as a single incident can constitute harassment or bullying when repeated. Harassment and bullying behaviour may not always be intentional, but is always unacceptable, whether intentional or not. Differences in individuals' attitude, background or culture can mean what is perceived as harassment by one individual may not seem so to another.

3.5. Harassment and bullying may include the following:

- Sexual harassment can take the form of ridicule, sexually provocative remarks or jokes, offensive comments about dress or appearance, the display or distribution of sexually explicit material, unwelcome sexual advances or physical contact, demands for sexual favours or assault.
- Racial harassment may include jokes about, or gratuitous references to a person's colour, race, religion or nationality. It can also include offensive remarks about dress, culture or customs which have the effect of ridiculing or undermining an individual or fostering hatred and/or prejudice towards individuals or particular groups.
- Harassment of disabled people can take the form of individuals being ignored, disparaged or ridiculed because of their disability. The disability rather than their ability can become the focus of attention. Harassment can include inappropriate personal remarks, jokes or inappropriate reference to an individual's appearance.
- Harassment on the grounds of a person's sexuality may include homophobic remarks or jokes, offensive comments relating to a person's sexuality, threats to disclose a person's sexuality to others or offensive behaviour/abuse relating to HIV or AIDS status.
- Bullying is the exercise of power over another person through negative acts or behaviours that undermine him/her personally and/or professionally. Bullying can be threatening, insulting, abusive, disparaging or intimidating behaviour, which places inappropriate pressure on the recipient or has the effect of isolating or excluding them. Bullying can take the form of shouting, sarcasm, derogatory remarks concerning academic performance or constant criticism. Bullying can be carried out by an individual or groups of individuals.

3.6. Harassment may also take place on the grounds of a person's age, religion, socio-economic status or any other characteristic that makes them different from the majority or from the person who harasses or bullies them. Any difficulty in defining what constitutes harassment should not deter individuals from complaining about behaviour that causes them distress. These examples are by no means exhaustive.

3.7. Although the terms 'harassment' and 'bullying' are not synonymous, the guidance in this policy document relates to both issues and the term 'harassment' will be used within this document from this point onwards to encompass both.

3.8. The over-riding principles in dealing with allegations or concerns of harassment are that they must be taken seriously, considered carefully and addressed speedily and, where possible, in confidence.

#### **4. Responsibility of individual students in relation to conduct and behaviour**

4.1. Every individual has a responsibility to behave in a way that is not offensive to others.

4.2. Every individual has a responsibility to acknowledge that views and opinions held by others may not always coincide with their own; such differences are unlikely to constitute harassment.

4.3. Students are expected to:

- Arrive on time for lectures, tutorials and meetings with staff
- Refrain from using mobile telephones or other electronic devices for whatever purposes during lectures and tutorials and areas where use is forbidden (e.g. workshops)
- Refrain from talking to other students during lectures and tutorials unless as part of a discussion instigated by the lecturer
- Refrain from using offensive language
- Take note of advice and act on the instructions of tutors
- Not to damage company property
- Not to act in a manner which compromises their or other persons' health & safety

This list is not exhaustive.

4.4. Students, whose behaviour is considered inappropriate, may be asked to leave the workshop or class and, if so, will be reported to the Centre Manager.

4.5. Incidents which involve the disruption of others and/or harassment or bullying will be reported by the Centre Manager who will keep a record of such incidents. Depending on the circumstances of the incident(s), action may be taken against the individual student(s) under, the Student Disciplinary Procedure.

#### **5. Advice, support and procedures**

5.1. Individuals who feel that they may be the subject of harassment and wish to make a complaint against another student or member of staff of this Centre should pursue the issue by using the Student Complaints Procedure. Students may wish to consult staff in obtaining help and advice in this matter.

#### **6. Student Disciplinary Procedure**

6.1. Any complaint made under this Policy will be investigated by an investigating officer (usually the Centre Manager, or in his absence a senior tutor) who will rule on the matter before them. A student has the right to appeal a decision in writing to the Operations Director of the company; such an appeal must be lodged within 14 days of the investigating officer's decision.

6.2. In serious breaches of the code the company reserves the right to permanently remove a student from the course without compensation or refund of fees being made.

**7. Conduct which may constitute a criminal offence**

- 7.1. The Company expects students to exercise their legal rights so as to protect themselves in cases where a criminal offence may have been committed.
- 7.2. If a criminal offence such as harassing phone calls, texts or emails, physical assault, indecent exposure or rape takes place, nothing in any company policy is intended to prevent or dissuade an individual from contacting the police.
- 7.3. If the police are involved in a case, the company may postpone any internal investigation until the result of the police enquiry is known.