



Learner Charter incorporating the Learner Code of Conduct

Cornwall Adult Education

31/08/17

Children, Families and Adults

Learner Charter incorporating the Learner Code of Conduct

Learner entitlements and responsibilities

Introduction

This Charter and Code of Conduct sets out what Cornwall Adult Education (CAE) expect, and what can be expected from CAE.

It is supported by a number of organisational policies, including:

- Cornwall Council's **Equality & Diversity Policy** (outlining the commitment to ensuring fair and equal access to appropriate learning opportunities)
- Cornwall Council's **Safeguarding Policy** and Guidelines (defining the commitment to providing a learning and working environment which promotes the safety and wellbeing of all learners, staff and volunteers)
- **Sustainable Development Policy** (outlining the commitment to enable people to acquire the knowledge, values and skills that will help them contribute to positive actions as part of a larger community and as individuals)
- Cornwall Council's **Health and Safety Policy**
- **ICT: Student Acceptable Use Policy** (which identifies students responsibilities when using CAE Service ICT systems)
- Cornwall Council's **Listening and Learning: Compliments, Comments and Complaints Policy** (this policy explains Cornwall Council's corporate compliments, comments and complaints procedures)

Learner Entitlements

A CAE learner is entitled to:

Reliable information in appropriate and accessible formats:

- free and accurate information on courses, programmes and qualifications are detailed in the brochures and course information, available from any of our centres or on our website www.cornwall.gov.uk/adultlearning
- information about fees, financial help and free courses can be found in the brochures, on our website or from CAE staff
- Area Coordinators, centre staff and Tutors will discuss any additional learning requirements or study skills support that may be needed
- in-depth Information, Advice and Guidance (IAG) about employment, education and training, provided by staff and where appropriate through referral to the National Careers Service (NCS): <https://nationalcareersservice.direct.gov.uk/home>
- results of learner consultation surveys; these are collated, published annually and are available from centres
- information about learner achievements; results are collated annually and summary reports are available from our centres

- CAE Self-Assessment Reports; are available from our centres, are produced annually and include information gathered from the records and evaluations that learners complete
- OFSTED reports and Education and Skills Funding Agency (ESFA) reviews are available as they are published

A fair and efficient enrolment process will provide:

- the opportunity to apply for a place on the chosen course or programme in person, by post, on-line or by telephone
- receipts for payment issued at the earliest opportunity
- assistance to ensure fairness of opportunity to enrol if a learner has any difficulties or disabilities. CAE staff are pleased to help meet needs where possible
- acceptance of applications and enrolments in the order in which they are received
- alternative options if the chosen course is unavailable

A good quality teaching and learning experience includes:

- equality of opportunity
- discussion about the outcomes that would like to be achieved
- help and support with English, mathematics or other identified difficulties/disabilities
- the reduction of barriers to learning through flexible teaching strategies, financial assistance and the use of assistive technology
- appropriately qualified Tutors competent in the subject area
- prompt marking, regular and constructive spoken and written feedback on performance, assessment, progress and achievement
- access to ongoing support and advice throughout the course or programme
- exploration of progression opportunities
- certification of the qualifications achieved

In support of the above CAE is committed to the use of computers, digital equipment and on-line services to facilitate learning. The application of Information & Learning Technology (ILT) will vary according to its appropriateness to the learning experience but could include web-based course enquiry, enrolment and payment; on-line course 'portals' with 24-hour access to learning materials and support; access to the Internet including the use of web-based learning activities and the use of a variety of devices such as interactive whiteboards, cameras, audio and video recorders.

Continuous improvement means:

- the opportunity to participate and express views through learner consultation, course evaluation and representation at Adult Learning Forums
- regular monitoring of the learning experience, to ensure the highest quality is maintained

- the prompt and sympathetic handling of complaints, in accordance with Cornwall Council's Compliments, Comments and Complaints Procedure. A copy of this is available at our centres or alternatively Cornwall Council's policy can be accessed from its website www.cornwall.gov.uk

A safe learning environment is:

- commitment to safeguarding and promoting the welfare of children, young people and vulnerable adults at all stages of the recruitment and selection process. This includes monitoring attendance of children, young people and vulnerable adults and notifying parents/carers/appropriate local agencies in the event of any absences from taught sessions or if a child, young person or vulnerable adult should leave a taught session early
- commitment to providing a learning and working environment where the safety and wellbeing of learners, staff and volunteers is promoted
- the right to freedom from harm and zero tolerance of any form of abuse
- the communication of concerns to Safeguarding Advocates, when an instance of alleged misconduct or concern about abuse of children/vulnerable adults occurs
- commitment to fulfilling the duties applied to Further Education institutions, under the Counter Terrorism and Security Act 2015. This is to play our part in preventing extremism, defined as:

'vocal or active opposition to fundamental British values, including democracy, the rule of law, individual liberty and mutual respect and tolerance for those with different faiths and beliefs. The definition of extremism also includes calls for the death of members of the British armed forces, whether in this country or overseas. 'Mutual respect and tolerance' includes respecting other people with particular regard to the protected characteristics of the Equality Act 2010:

- Disability
 - Age
 - Gender reassignment
 - Race
 - Religion or belief
 - Sex (formally called gender)
 - Sexual orientation
 - Marriage and civil partnership
 - Pregnancy and maternity '
- being part of a multi-agency safeguarding partnership across the county. CAE is represented on the multi-agency Cornwall and the Isles of Scilly Prevent group Safer Cornwall

Learner Responsibilities

CAE Learners are expected to behave in accord with the Learner Code of Conduct as follows:

- follow Health and Safety Regulations and behave in a way which does not put themselves or others in danger
- adhere to Cornwall Council's Safeguarding Policy and Guidelines and the CAE Anti Bullying and Harassment Policy which promote zero tolerance of any form of abuse
- attend classes regularly and be on time (absence can be disruptive and may result in courses being closed); Tutors can help if circumstances mean that this is not always possible
- study to the best of their ability and hand in any set work on time
- respect others regardless of differences in culture, race, ethnicity, disabilities, learning difficulties, religion, gender, age or sexual orientation
- behave in a way which respects the needs of others to learn, teach and work
- respect the property of CAE, of staff and other learners
- help keep the venue/s clean and tidy
- respect Cornwall Council's Equality & Diversity Policy at all times
- respect the opinions of others; refrain from expressing extremist views that are contrary to the British values of democracy, the rule of law, individual liberty, mutual respect and tolerance of those of different faiths and beliefs
- challenge learners, Tutors and other staff who may express opinions that are contrary to these values including extremist views; report concerns to a Safeguarding Advocate

Cooperate with CAE staff

- follow all reasonable instructions and advice from CAE staff
- follow all reasonable requests and advice from staff employed at hired venues
- participate fully in feedback and review sessions
- make a positive commitment to their own development and progress
- inform the Tutor/ Assessor of any health problems, physical disabilities or learning difficulties; extra help and support will be provided wherever possible

Be aware of and meet on time any fees and expenses for which you may be liable:

- learners should ensure that they are aware of all the costs involved and ask for financial assistance if these cannot be met. Course fees are stated in the CAE brochures and on our website. Learners are informed of any additional fees and expenses

- apply for an Advanced Learning Loan where required before starting the programme

Take responsibility for your own learning

- learners are encouraged by the Tutor to take ownership of their own learning; this will enhance the sense of achievement, pride and a desire to participate in further learning

Unacceptable Conduct

The following are examples of behaviour considered as misconduct and may result in disciplinary action being taken:

- failure to follow Health and Safety Regulations
- conduct which prevents, obstructs, or disrupts teaching, learning, or the administration of the business of CAE
- failure to follow the reasonable instructions of a member of staff
- disruptive or disorderly behaviour or the use of bad or abusive language
- any form of intimidation, bullying, neglect, discrimination or abusive behaviour whether physical, emotional, financial or sexual
- behaviour or language which is racially or sexually offensive, which is offensive to those with disabilities and/or learning difficulties or which is considered extremist and contrary to fundamental British values
- causing damage to buildings, equipment, books or furnishings belonging to CAE or one of our venue providers
- interference with software belonging to or used by CAE or misuse of computer facilities (see Students Acceptable Use Policy)
- drunkenness or the use of illegal drugs
- violence or threat of violence
- any illegal act on CAE premises
- Academic Misconduct, defined as 'any case of deliberate, premeditated cheating, collusion, plagiarism or falsification of information, in an attempt to deceive and gain an unfair advantage in assessment'

Disciplinary Procedure

This will only be invoked once all informal attempts to address the issue have failed.

When a case of misconduct has been reported to an Area and/or Central Coordinator, the learner alleged to have committed the misconduct will be invited to attend a disciplinary interview with the relevant manager, who must have had no prior involvement in the case. At least five days' notice (usually written or in other formats as appropriate) will be given except in the case of gross misconduct (e.g. threat of violence, deliberate damage to property, endangering the health and safety

of others, intimidation, theft) where the matter will be dealt with immediately or as soon as possible.

The notice will inform the learner of:

- the nature of the alleged misconduct and a summary of the evidence for the complaint
- the learner's entitlement to have an open hearing and to be accompanied by a friend or colleague
- confirmation of the time and place of the interview

After hearing the learner's case, the relevant manager concerned may make one of the following decisions:

- no further action will be taken
- the learner will receive a final warning (usually written or in other formats as appropriate)
- the learner will be suspended from the class or CAE for a specified time period
- further investigation is needed before a final decision may be made
- in the case of gross misconduct immediate exclusion may be imposed

The decision will be confirmed in writing (or in other formats as appropriate) within five days of the hearing and the right of appeal will be confirmed.

If there is a need for further evidence, the investigating manager will adjourn the hearing for a future date within the next ten working days to allow evidence to be made available. The relevant manager may arrange for any witnesses to be made available in person for the reconvened hearing or for written statements to be taken by another member of staff.

- the relevant manager has the right to suspend the learner until the reconvened hearing
- copies of any documentary evidence, together with copies of any written statements, will be provided to the learner at least five days before the reconvened hearing; the learner will have the right to question any evidence presented in the form of a written statement
- if a witness is not available to answer questions, this will be taken into account by the relevant manager when assessing the weight to be given to conflicting evidence; written statements which do not reveal the name of the witness will not be considered, other than in the most exceptional circumstances
- the decision may be that the learner should be permanently excluded or formally suspended for a fixed period, that a lesser disciplinary sanction should be taken or that no disciplinary action should be taken
- the investigating manager will contact (usually in writing or in other formats as appropriate) the learner within five working days to give the decision and will also give reasons for the decision, which will be implemented with immediate effect

- the letter (or other form of appropriate contact) will affirm the right of appeal and the fact that this must be made within 5 working days of receipt of the decision

Appeals

- the learner will have right of appeal to the appropriate senior manager. Notice must be given by the learner within five working days of receipt of the decision and must give the grounds for the appeal
- the senior manager will convene an appeal hearing and the relevant manager, who made the decision in the first stage of the procedure, will be asked to present CAE's case and explain the reasons for the recommendation
- the learner will be invited to explain the grounds of the appeal and state his or her case
- the senior manager may ask questions of the learner and of the representative presenting the case and will then consider whether to allow or dismiss the appeal. Witnesses will normally be asked to be on call to answer any questions
- if the appeal is allowed, the senior manager may decide on lesser disciplinary action, or no disciplinary action
- if the appeal is dismissed the senior manager will issue a statement saying that he/she has decided to uphold the decision taken at the first stage in the procedure
- the senior manager's decision is final and will be confirmed in writing (or in other formats as appropriate) to the learner within five working days

Criminal Offences

Where any member of staff has reason to believe that a learner may have committed a criminal offence, CAE may refer the matter to the police and will normally suspend the disciplinary proceedings under this procedure, and suspend the learner pending the outcome of the police enquiries and any charges which may be brought against the learner. Where the learner has been suspended under this provision, when the results of those enquiries and any criminal proceedings are known, CAE reserves the right to recommence proceedings.

If you would like this information in another format please contact:

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www.cornwall.gov.uk