



Valley College

LEARNER CONDUCT POLICY FOR VALLEY COLLEGE

Addendum: Valley College recognize that the prolonged periods of absence from college during the last academic year may contribute to disengagement with education upon return to college, resulting in anxiety which could lead to an increased incidence in poor conduct. College staff should be mindful that disruptive conduct might be the result of unmet educational or other needs and whether a multiagency assessment is necessary.

We know that some learners will return to college having been exposed to a range of adversity and trauma including bereavement, anxiety and in some cases increased welfare and safeguarding risks. This may lead to an increase in social, emotional and mental health concerns and some learners, particularly vulnerable groups such as those with a social worker, previously looked-after children who left care through adoption or special guardianship, and young carers, will need additional support and access to services such as social workers and counsellors. Additionally, provision for learners who have SEND may have been disrupted during partial college closure and there may be an impact on their conduct.

Valley College leaders will work with staff, learners and advocates to ensure that conduct expectations are clearly understood and consistently supported, taking account of individual needs. Extra time will be given for regulation activities to support learners.

Introduction

The purpose of this policy is to inform and guide Valley College staff members in teaching and rewarding appropriate learner conduct that supports learning, progress, achievement and enjoyment of college life.

Our aim is that all learners should be able to achieve their potential in a safe and happy environment; wherever possible, acquire the self-discipline that will make them good citizens of the future; and lead satisfying and fulfilling lives.

This policy is based on the principle that all learners and staff throughout the college are valued members of the college and productive relationships are central to our ethos and approach.

This policy should be read in conjunction with those policies listed below:

- Health and Safety Policy
- Safeguarding Policy
- Attendance Policy
- Staff Conduct Policy
- Anti-Bullying Policy

Valley College Context

As a college for learners with learning disabilities and difficulties we have a wide range of abilities to cater for. Many of our learners are intellectually immature and as such expectations regarding their conduct must be modified.

Some young adults have learned to express themselves through inappropriate conduct and in these cases the careful management of their conduct is essential.

In other cases, abler learners with moderate learning difficulties can display willful behaviour that requires a firm and consistent approach. Conditions such as ADHD, Autistic Spectrum Conditions, mental health conditions or the impact of medication need to be taken into account regarding the expectations of a learner's conduct and our reactions to this.

A note about 'behaviour'

At Valley College, 'behaviour' refers to the way we interact and respond to people, objects, situations and events we find ourselves in. Behaviour is anything we do or say which other people can observe and as such can be positive, neutral and negative. It is also context specific, for example, behaviour appropriate at home or in a social setting might not necessarily be appropriate for the college environment. Similarly, particular behaviours may be informed and impacted by a learner's disability, learning difficulty or personal circumstances. Consequently, this policy refers to learner conduct.

We should, therefore, resist using the term 'behaviour' to describe negative or inappropriate actions.

Where a young adult's conduct interferes with their learning or the good order of the Valley College, we must develop their actions to find more socially acceptable ways in which to conduct themselves.

Learning Environment Management

It is the expectation that staff will constantly reinforce, remind and refer to conduct expectations. These will be taught, sometimes specifically and sometimes (due to a learning difficulty or disability) through experience and consistent staff responses. We wish to teach the learners, to take ownership of their own conduct and to understand the importance of choice. We aim to teach learners to make appropriate choices.

The importance of providing a relevant and stimulating curriculum is crucial. We differentiate according to learner's abilities, realising the frustration that can be caused when work is too easy, too difficult or inappropriate. Learning and training need to engage and support the College's aspirations. Personal and Social Development permeates throughout the Valley College curriculum.

Where an individual learner's conduct is an on-going priority, the individual will have a detailed Individual Learner Risk Assessment. This will be carefully drawn up in collaboration with staff, the learner, advocates, and if relevant, Adult Social care.

If Valley College identify that a learner requires an Individual Learner Risk Assessment, a Mental Capacity Assessment (MCA) will be completed (see Mental Capacity Assessment pro forma – Appendix A). If the outcome of the MCA identifies that the learner lacks mental capacity, then a Best Interest decision making meeting will take place (see Best Interest Decision Making pro forma – Appendix B). If the outcome of the MCA identifies that the learner has got capacity then they will be fully involved in the development of the Individual Learner Risk Assessment.

Staff conduct is essential to the maintenance of learner conduct:

- treat learners consistently whilst maintaining an awareness of individual needs; plan whilst taking into account all aspects relating to each individual including their disability or learning difficulty;
- communicate effectively to learners in ways appropriate to their individual needs;
- staff must also view a learner's conduct as a form of communication and as such endeavour to understand the intention of this communication whether it be concerned with task avoidance, attention, boredom, anxiety or a reaction to an event that may or may not be understood by the college staff.

Positive Reinforcement

This must be appropriate to the individual learner and take account of a number of factors that include, ability (including their learning difficulty or disability) and context. It is vital for staff to choose ability appropriate positive reinforcements that are effective and do not patronise the learner.

The college provides Positive Reinforcement in order to encourage the repetition of good conduct, allowing young adults to understand what is expected of them and encourage learning, cooperation and enjoyment of college life.

Diversional Techniques

If a learner has displayed inappropriate conduct the college will employ a wide variety of diversional techniques to encourage improved conduct or deal with a specific problem regarding their conduct.

- diversional techniques such as giving a learner a task that breaks a developing pattern of conduct or simply asking the learner to take 'time out'.

- restorative approaches where a learner takes responsibility for their conduct and is able to make an apology or reconcile with a colleague;
- a meeting with the learner and their advocates may be convened;

Records should be kept to demonstrate the impact of the Individual Learner Risk Assessment.

Exclusions

As a last resort and in rare cases, exclusion will be used as follows:

- exclusions from college whereby the learner is not permitted back into college for a fixed period of time; this will only be used in cases of very serious misconduct which is deemed willful on the part of the learner (i.e. where staff decide that the learner is capable of understanding the context of their conduct); examples include:
 - aggression toward other learners or staff;
 - persistent serious disruption to the learning of others and the safety of the college environment;
 - serious damage to college property or that of learners, staff and visitors;
 - illegal actions involving theft, drugs, alcohol, pornography or other such serious misconduct.

It is possible that a learner may be excluded as a last resort whilst resources are put in place to provide appropriate support to make that person and other members of the college community safe from harm and free to learn. In this case it is possible that the learner may not, due to their learning difficulty or disability, fully understand the context and implications of their conduct.

In all such cases the decision to exclude a young adult will only be made by the Head of College.

Permanent exclusions will be only made if the college is unable to meet the learner's needs and a more appropriate provision is available.

In all cases of exclusions, the Local Authority, directors and advocates will be informed immediately and where relevant a learner's social worker / advocate will be involved. Where appropriate, College will work with the learner, advocates and Adult Social Care to manage a transfer.

Learners and advocates have the right to make representations to the governors about an exclusion and the Directors must review the exclusion and in the case of permanent exclusions have a right of appeal.

Anti-bullying Policy

Valley College is totally opposed to bullying in any of its forms and it will not be tolerated in college. We have a comprehensive anti-bullying policy which operates within Valley College. All learners, advocates and staff are made aware of the content

of the policy and what to do should a young adult feel they are being bullied and what to do with a perpetrator.

We are committed to providing a safe, caring environment for all learners so they can learn in a relaxed and secure environment (see Anti Bullying Policy).

Sexism, sexual harassment and sexual violence.

The college has a zero tolerance approach towards sexual harassment and violence, and all concerns raised or incidents reported will be dealt with in accordance with the safeguarding procedures in place within college.

Roles and Responsibilities including College Support Systems

- The staff in our college have high expectations of the learners with regard to their conduct, and they strive to ensure that all learners work to the best of their ability.
- The staff treat each learner fairly, showing respect and understanding of individuals.
- The staff will liaise with external agencies, as necessary, to support and guide the progress of each learner.

The role of the Head of College:

- It is the responsibility of the Head of College, to implement the college Conduct policy consistently throughout the college, and to report to the Executive Principal/CEO of the Trust, when requested, on the effectiveness of the policy. It is also the responsibility of the Executive Principal/CEO of the Trust to ensure the health, safety and welfare of all learners in the college.
- The Executive Principal/CEO of the Trust /Head of College support the staff by implementing the policy, by setting the standards for conduct, and by supporting staff in their implementation of the policy.
- The Head of College will keep records of all reported serious incidents.

Consultation, monitoring and evaluation

The Head of College monitors the effectiveness of this policy on a regular basis and also reports to the governors on the effectiveness of the policy and, if necessary, makes recommendations for further improvements.

The Head of College will review this policy every two years. The governors may, however, review the policy earlier than this if they receive recommendations on how the policy might be improved.

	Name/Initials:	Date:
Written By:	LAP	Sept 2018
Reviewed:	LM	Oct 19
	SJ	Mar 20

	Addendum added EM	Oct 2020
	SJ	Mar 21
	SJ	Sep 21

APPENDIX A



BEST INTERESTS DECISION

Following a capacity assessment, this process should be used to support decision making where a person **does not** have capacity to make a **specific** decision themselves.

Name of Person:	
Date of Birth:	
Address:	
Decision to be made and circumstances surrounding the decision (include what is being proposed, by whom and why):	
Date and outcome of capacity assessment:	
Identify the decision maker and state why this person is the most appropriate:	
Name and designation of the person co-ordinating the best interests process:	
Describe the process for making the decision i.e. meeting, separate discussions, or combination of both (include dates):	

Contributors to the best interests process (person, family, ADS staff, health professionals, IMCA, advocate etc):		
Is information required from anyone else? (How will this be obtained and by whom?):		
Detail all possible options available for the person (start with the least restrictive option and include the option of not taking any action): <i>If more than three options please add to the list</i>		
1.		
2.		
3.		
Current expressed preferences of the person regarding the options and evidence to support:		
Past expressed preferences of the person in relation to the options and evidence to support:		
Benefits to the person of implementing each option: <i>repeat process for each option available. Indicate if there is a low, medium or high likelihood of these benefits occurring. Indicate the seriousness / importance of each benefit for the person</i>		
Benefits	Likelihood (high/medium/low)	Seriousness / Importance (high/medium/low)
Option 1:		
1.		
2.		
3.		

<p>Option 2:</p> <ol style="list-style-type: none"> 1. 2. 3. <p>Option 3:</p> <ol style="list-style-type: none"> 1. 2. 3. 		
<p>Disadvantages or risks to the person of implementing each option: <i>repeat the process for each option available. Indicate if there is a low, medium or high likelihood of these disadvantages / risks occurring. Indicate the seriousness / importance of each disadvantage / risk for the person</i></p>		
<p>Disadvantages / Risks</p>	<p>Likelihood (high/medium/low)</p>	<p>Seriousness / Importance (high/medium/low)</p>
<p>Option 1:</p> <ol style="list-style-type: none"> 1. 2. 3. <p>Option 2:</p> <ol style="list-style-type: none"> 1. 2. 3. <p>Option 3:</p> <ol style="list-style-type: none"> 1. 2. 3. 		

Outcome(s) of the Best Interests decision making process: Detail how the decision was reached and why the option was chosen, and why/how it will benefit the person.	
Explain how this decision is a proportionate response to the risk of harm to the person:	
Will enacting the decision result in restriction or deprivation of liberty? If yes, provide details and explain how this option will be implemented on a least restrictive basis:	
Summarise the views of contributors (agree / disagree with the decision):	
Detail how the person will be informed of the decision:	
Date of review:	
Signature of decision maker:	
	Date:

MENTAL CAPACITY ASSESSMENT



Name of person being assessed:	
Date of Birth:	
Address:	
Does Person have someone appointed as a Lasting Power of Attorney / Court Appointed Deputy (If yes do not continue with this process – refer to LPA / Deputy re decision making).	
No <input type="checkbox"/>	Yes <input type="checkbox"/> Name (if yes)
What prompted this capacity assessment?	
Date assessment commenced:	
Decision to be made:	
Stage One:	
What is the impairment of, or disturbance in the functioning of the mind or brain?	
Summary of previous decision making by the person:	
What types of decisions has the person been involved in making. This may include basic day to day, future planning, or complex decisions.	
When making these decisions what worked well i.e. discussion at a particular time of day, location, particular style of questions or presentation of information, positive relationship with a person supporting them?	
How does the person usually make their needs and wishes known? Provide details of the person's communication aid or plan.	
Specifically in relation to this decision what steps have been taken to enable and support the person to participate in the decision making process. Please describe these steps (i.e. time of assessment, location, any aids used, how you have maximised the persons opportunity to engage in this process):	

Stage Two:
A. The person is able to understand the information relevant to the decision:
(Record how you have tested whether the person can understand the information. Include what information was given to them and how this was communicated, by whom on how many occasions. How communication was supported i.e. photographs, objects of reference etc. Ensure that you record in detail how you have attempted to encourage understanding, and the various methods used. What aspects of the information given has the person understood and not understood? How do you know this? Did the person engage in the discussion/process?)
*NB - if the person is assessed as not able to understand the information move onto section E
B. The person is able to retain the information relevant to the decision:
(Consider a realistic timescale for the information to be retained depending on the decision. Record how you supported the person to retain the information and how you checked that they were able to retain the key points. What aspects of the information given has the person retained/not retained)
*NB - if the person is assessed as not able to retain the information move onto section E
C. The person is able to use or weigh that information as part of the process of making the decision.
(Detail how you supported the person to use/weigh the information and how you checked that they were able to do this. What aspects of the information given did the person weigh / not weigh? Was the person able to identify potential consequences/benefits of proceeding/not proceeding? Which elements did the person find the most / least important?)
*NB - if the person is assessed as not able to use or weigh the information move onto section E
D. The person is able to communicate their decision (whether by talking, using sign language or any other means):
(Record your findings about whether the person can communicate their decision. How did they communicate it?)
*NB - if the person is assessed as not able to communicate their decision move onto section E
E. Outcome of Assessment
(check the box and complete the relevant statement below)
<input type="checkbox"/>

Based on this assessment in my professional opinion the person **does have capacity** to make their own decision regarding

Based on this assessment in my professional opinion the person **does not have capacity** to make their own decision regarding

F. Any further action or input (Does the decision need to be reviewed or amended following completion of the capacity assessment? Is there another decision that needs to be made first?)

Where the person does have capacity detail any support the person needs to implement the decision.

Where the person does not have capacity detail steps for the best interest process.

Assessor

Name:

Role:

Signature:

Date assessment completed:

Others Involved in the Assessment:

Name:

Role:

Signature:

Name:

Role:

Signature: