

Grŵp Llandrillo Menai

Learner Conduct Policy

Version: 6
Amended draft approved: November 2022
Review by: November 2024

Learner Conduct Policy

1. Introduction

- 1.1 Grŵp Llandrillo-Menai actively promotes a positive and safe environment for all learners, visitors and staff at every college site. The Learner Conduct Policy and Disciplinary procedures support the Grŵp's commitment to establishing and maintaining a culture of mutual respect and promoting good behaviours by defining the expectations of learner conduct and providing guidance on the procedures to deal with inappropriate behaviour.
- 1.2 The implementation of the Learner Conduct Policy is further supported by the Grŵp's policies and guidance documents that outline expected practices and protocols e.g. Learner Attendance, the Equality & Diversity Policy, Safeguarding and Complaints.

2 Scope

- 2.1 The Learner Conduct Policy and disciplinary procedures apply to all learners whilst on campus; the learner's journey to and from college; the immediate vicinity and near vicinity of the college campus during college days; attendance at college events which are attended by learners, staff or visitors; representing the college at external events; or whilst attending visits, trips, activities and residential; at all times of the academic year. Certain behaviours off-site, on-site,
- 2.2 All members of staff have a duty to challenge unacceptable learner behaviour and implement the disciplinary procedures as appropriate unless doing so would compromise their personal safety.
- 2.3 Programme Managers have overall responsibility for managing the conduct of learners within their area and can apply the disciplinary procedures in response to misconduct.
- 2.4 The Learner Conduct Policy does not discriminate either directly or indirectly and ensures that all learners who may be subject to the disciplinary procedures are dealt with in a fair and equitable manner, irrespective of age, gender, disability, additional learning need, race, sexual orientation, religion or belief or any other personal characteristic.

3. Learning Agreement

- 3.1 The Learning Agreement outlines the responsibility of the learner to maintain a safe and respectful environment. All learners are expected to behave responsibly, courteously and respectfully at all times. The Learning Agreement will be available to learners through the medium of Welsh or English.
- 3.2 As part of the College induction process all learners are given clear expectations about their conduct as outlined below. Support and consideration will be provided for learners who may face challenges due to a protected characteristic.
1. Take responsibility for yourself, your personal belongings and your learning
 2. Attend all sessions regularly and punctually (including any planned additional support sessions, and internal and external exams or assessments), return assignments and coursework on time
 3. Work towards agreed targets and make every effort to meet targets
 4. Wear your college lanyard and ID Card whilst at college
 5. Access the Learner Portal to keep up to date with your academic progress and support needs
 6. Regularly monitor your college email account for communication from college staff
 7. Switch off your mobile phone whilst in classes, libraries and study areas
 8. Look after equipment, books and materials and return what you borrow
 9. Pay any money owing for fees, exams, materials etc.
- 3.3 The following behaviour is unacceptable and can lead to disciplinary action:
1. Bullying, violence, spitting, abusive language, harassment of others including harassment via social media
 2. Publication and distribution of abusive, insulting or inappropriate material relating to learners, staff, or other persons connected with the college, in written or electronic format
 3. Breach of Health & Safety rules (e.g. careless driving, interfering with fire alarms or not following fire safety procedures, smoking in any college building or on college transport, not wearing protective clothing where necessary)
 4. Using or possessing alcohol at college or on visits/trips/activities and residential
 5. Using or in possession of illegal substances and/or drug paraphernalia at college and on visits/trips/activities and residential
 6. Breach of GLLM Learner Guidance for Online Learning
 7. Misuse of, damage to, or theft of property
 8. Dishonestly copying someone else's work and/or falsifying college records
 9. Any breach of the ICT Policy (e.g. installing software on college machines, reconfiguring college machines in any way, accessing inappropriate websites)
 10. Refusing to wear a college lanyard and/or show your student ID card when asked
 11. Damage to, or unsociable behaviour, whilst using transport provided by the college
 12. Other conduct, onsite, offsite or online where the learner could bring the college into disrepute

4. Definitions

4.1 The disciplinary action taken will reflect the circumstances and severity of the offence and take into account previous disciplinary action taken against the learner concerned. Whilst not exhaustive, the following definitions provide guidance on how to apply the disciplinary procedures.

4.2 Misconduct

Examples of misconduct include:

- Repeated lateness
- Repeated absence without notification/approval
- Lack of respect towards other learners, staff and visitors
- Poor attitude and lack of effort in class
- Repeated late submission or completion of set work and/or failure to meet deadlines
- Refusal to show ID on request by a member of staff
- Failure to use college facilities and equipment with care and respect
- Non-payment of college fees and charges
- Use of mobile phone in class without staff consent
- Smoking and use of e-cigarettes in non-designated area

4.3 Gross Misconduct

Examples of gross misconduct include:

- Cheating or plagiarism
- Harassment or bullying whether physical, or verbal, including by electronic means such as mobile phone, social networks, email, taking or distributing photos/videos or recording conversations without prior consent
- Infringement of the Grŵp's Equality & Diversity Policy, e.g. Harassing, victimising or discriminating behaviour against any other person on grounds of age, disability, race, ethnic or national origin, religion or belief, sex, sexual orientation, gender identity, gender reassignment, pregnancy, maternity, marriage or civil partnership, colour or socio-economic background
- Being under the influence of alcohol and/or drugs
- Possession of illegal substances and/or drug paraphernalia
- Dealing of illegal substances or medicines prescribed for use by another person
- Violent or threatening behaviour, including gender based violence (including the carrying of weapons both real and imitation regardless of intent of use)
- Vandalism
- Theft
- Misuse of or causing disruption to the college IT network and hardware
- Any criminal activity which has brought or may bring the reputation of the college into disrepute (irrespective of whether it takes place on college property or during college time)

5. Disciplinary Interventions

5.1 Prior to any disciplinary intervention an offer of support, where appropriate, via a supportive action plan or a referral to Learner Services must be implemented.

5.2 There are two types of intervention that can be applied as part of the disciplinary procedures to respond to breaches of the Learner Conduct Policy. These are:

- Informal intervention
- Formal intervention

5.3 Informal intervention includes discussion and informal interview with the learner to discuss the concern relating to their behaviour or conduct. Examples where informal intervention may be applied include smoking and use of e-cigarettes in non-designated areas, use of mobile phone in class, loud or unruly behaviour in class or communal areas.

5.4 Formal intervention includes issuing a Verbal Warning, Written Warning, Final Written Warning, Suspension and/or Exclusion. The issue of warnings can be progressive, that is, Verbal Warning, Written Warning and Final Written Warning but not necessarily so, depending on the seriousness of the offence.

5.5 Formal intervention must be initiated after repeated or a serious incident of misconduct has occurred.

5.6 Without exception, formal intervention must be applied after an incident of gross misconduct, as defined in the Learner Conduct Policy, has occurred. The line managing Assistant Principal or in their absence, another senior member of staff must be informed when suspension of a learner for gross misconduct is being considered.

6. Learners with Additional Learning Needs

6.1 The expectation for standards of behaviour to be adhered to is the same for all learners, however the college recognises that there may be some instances where learners with additional learning needs require further consideration. The disciplinary procedures should be applied on individual merit to learners with known speech, language and communication difficulties; emotional behavioural difficulties; learning difficulties or disabilities.

6.2 At every stage of the disciplinary process, all staff must be conscious of the needs of individual learners who may be disadvantaged by written communication and formal interviews.

6.3 Staff must consider the individual needs of such learners and are advised to contact the Grŵp Learning Support Manager or the Learner Services Manager for further guidance.

6.4 Adaptations to the disciplinary process may include:

- Adapting the language of communication spoken and written
- Providing written communication in alternative formats
- Providing additional advisory or advocacy support for the learner to ensure their full understanding of the process

- Providing interpretation services at any Disciplinary Panel

7. Monitoring and Reporting

- 7.1 The Learner Services Manager at each college will maintain a central record of all Disciplinary Panels held.
- 7.2 The Director, Learner Services, will report on a termly basis to each college's Tîm Rheoli by providing a summary of the outcomes of all Disciplinary Panels.

Learner Disciplinary Procedures

Version: 6
Amended:
Review by:

Guidance for implementing Disciplinary Procedures

1. Introduction

1.1 All members of staff have a duty to challenge unacceptable learner behaviour and apply the Disciplinary Procedures as appropriate unless doing so would compromise their personal safety. Consistency of approach and the use of informal intervention to challenge less serious breaches of acceptable behaviour are essential to promote a safe and respectful environment. Where learners are consistently and effectively challenged the need to use formal intervention is minimised.

1.2 Staff are responsible for referring all concerns relating to misconduct to their Programme Area Manager and all gross misconduct to the line managing Assistant Principal or Director. The Personal Tutor or Assessor is responsible for ensuring that verbal warnings are recorded on eDrac /Onefile.

1.3 All concerns regarding the conduct of pupils on college-school 14-19 partnership provision should be reported to the Senior Manager with 14-19 partnership provision responsibility immediately. If this member of Tim Strategol is not available the matter must be reported to an appropriate college Assistant Principal or in their absence the Director, Learner Services, the Programme Area Manager with 14-19 responsibility or the on-site Duty Manager.

1.4 The following outlines the disciplinary procedures that staff should apply when a learner has breached the Learner Conduct Policy.

2. Disciplinary interventions

A) Informal Intervention

A1 Informal approaches include, discussion and informal interview with the learner to discuss the concern relating to their behaviour or conduct. Examples where informal intervention may be applied, but not limited to, include smoking and use of e-cigarettes in non-designated areas, use of mobile phones in class, loud or unruly behaviour in class or communal areas.

A2 Staff may invite their Programme Area Manager to meet with the learner in question.

A3 It is important at this stage to try and establish and support any underlying cause of the behaviour or lack of academic progress which may influence action taken now or in the future. These may include:

- Difficulty with understanding work set
- Lack of access to learning resources outside of college
- Issues with peers e.g. ~~bullying~~
- Problems at home or outside of college
- Other external pressures
- Maternity, menopause, pregnancy
- Hidden disabilities
- Substance misuse

A4 All safeguarding concerns should be referred immediately to a Safeguarding Officer.

A5 Staff should ensure that they inform the Personal Tutor or Assessor of all discussions regarding learner conduct.

A6 The Personal Tutor must inform the Learner Services Manager immediately of any disciplinary action against a Care Experienced Learner. The Learner Services Manager will ensure that the appropriate agency is informed of all disciplinary action.

A7 A record of all discussions and agreed actions regarding conduct should be recorded by the Personal Tutor or Assessor on eDrac /Onefile and reviewed where required.

A8 In the case of Apprentices, the Assessor should inform their Programme Area Manager to agree whether the Apprentice Employer needs to be involved / informed.

A9 Where the use of informal intervention to deal with repeated breach of the Learning Agreement has not produced an acceptable response from the learner, the Personal Tutor or Assessor should escalate procedures to Formal Intervention.

B) Formal Intervention

Where formal interventions involve a meeting the learner has the right for the meeting and any communication to be conducted through the medium of Welsh or English. Simultaneous translation can be used if requested.

B1 Misconduct

B1.1 Formal intervention must be initiated after repeated or a serious incident of misconduct has occurred. The issue of warnings can be progressive, that is, Verbal Warning, Written Warning and Final Written Warning, but not necessarily so, depending on the seriousness of the offence.

The following procedure will apply:

B1.2 The Programme Area Manager and/or the Personal Tutor/Assessor will meet with relevant staff to discuss the matter within 5 working days of the incident.

B1.3 In the case of Apprentices, the Apprentice Employer should be informed.

B1.4 Prior to the meeting the Personal Tutor or Assessor should establish:

- All warnings issued to the learner within the academic year
- Any previous disciplinary actions taken against the learner
- Any extenuating circumstances established
- Any evidence/witness statements etc.
- Any guidance needs
- The preferred language of communication

B1.5 The Personal Tutor/ Assessor or Manager issues the warning to the learner. The verbal or written warning will be recorded on eDrac /Onefile.

B1.6 The Personal Tutor, Assessor or Programme Area Manager should write to parents/guardians of learners aged under 18 to confirm the issue of a disciplinary written or final written warning. In the case of an Apprentice, the Assessor or Manager should write to the Apprentice Employer to confirm the issue of a disciplinary warning to the learner, regardless of the learners age.

B1.7 Where a Care Experienced Learner is supported by the Youth Justice Service or Probationary Service the Programme Area Manager or Personal tutor will contact the Learner Services Manager to inform them of the formal disciplinary action.

B1.8 The Learner Services Manager will write to inform the relevant agency of formal disciplinary action where the learner is supported by the Youth Justice Service, Probationary Service or is a Care Experienced Learner.

B1.9 Where a learner is supported by the Additional Learning Needs team the Personal Tutor/ Assessor or Manager will be responsible for notifying the ALN Coordinator for that campus.

B1.10 A review date should be recorded on eDrac /Onefile and the Personal Tutor or Assessor should review progress with the learner on that date, usually within two weeks of the incident. A record of the review meeting and any agreed actions must be recorded on eDrac /Onefile.

B1.11 If a learner has not addressed the actions identified by the review date, a second warning should be issued. In the case of Apprentices, the Apprentice Employer should be informed.

B1.12 Where a learner is issued with a final written warning it must be made clear to that learner that any further breach of the Learning Agreement / Apprenticeship Learning Agreement will result in them being suspended from the college or have their apprenticeship terminated (the procedure will follow that for dealing with incidents of Gross Misconduct). In the case of Apprentices, the Apprentice Employer should be informed.

B1.13 A record of any disciplinary action taken must remain on the learner's eDrac /Onefile profile whilst they are still on their programme.

B1.14 All records must be stored securely and in accordance with GDPR protocols.

B2 Gross Misconduct

B2.1 Without exception, formal intervention must be applied after an incident of gross misconduct, as defined in the Learner Code of Conduct Policy, has occurred. The Assistant Principal must be informed of all occurrences of gross misconduct.

The following procedure will apply:

B2.2 The member of staff dealing with the incident will refer it immediately to the line managing Assistant Principal, or in their absence to another Assistant Principal or the Director of Learner Services.

B2.3 The Assistant Principal/Director to whom the matter has been referred will meet with the learner to gain their view of the incident and decide on the immediate course of action. If the Assistant Principal/Director is not on-site they may ask a Programme Area Manager to meet with the learner, gather appropriate information and refer the matter to another Assistant Principal to decide on the immediate course of action. The Assistant Principal may ask the Programme Area Manager to communicate the decision to the learner and their parent/guardian on their behalf. This will normally be a suspension pending an interview by a Disciplinary Panel and the learner must be removed immediately from the premises. Consideration must be given to existing learning needs, and/or welfare support in place for the learner. The Learner Services Manager must also be informed.

B2.4 The Learner Services Manager will send a letter by recorded delivery to the learner within 3 working days (with a copy for parents/guardians/employers) to inform them of the terms and conditions of their suspension.

B2.5 The line managing Assistant Principal/Director will arrange for the matter to be fully investigated: this may include interviewing witnesses, gathering witness statements and collecting documentary evidence. All records of the investigation must be shared with the Learner Service Manager in order to prepare for a Disciplinary Panel.

C) Disciplinary Panel Procedures

C1 Within 7 working days of a learner's suspension, the Learner Services Manager will send a letter by recorded delivery to the learner (with a copy for parents /guardians /employers /agencies, if appropriate) in the language of the learner's choice. The letter will give the date, time and venue of the Disciplinary Panel and detail the allegations of misconduct together (where appropriate) with accompanying evidence, for example, report of the investigation, written statements, learner records.

C2 The Disciplinary Panel will be made up of the relevant Programme Area Manager and one Assistant Principal/Director and the Learner Services Manager. *At least one member of the panel should be the same gender as the learner*. The Panel will be chaired by the Assistant Principal/Director. The learner has the right to a hearing through the medium of Welsh or English. Simultaneous translation will be provided if necessary.

C3 The learner has the right to make representation to the Disciplinary Panel and may be accompanied by a maximum of two people including a representative from the Student Union, parents, guardians, friends or employers (but not a legal representative). The learner must notify the Learner Services Manager beforehand of the names and status of those who will be accompanying them.

C4 The Chair of the Disciplinary Panel will introduce all in attendance and summarise the disciplinary procedures and possible outcomes and refer to any previous disciplinary warnings including verbal that the learner may have.

C5 The manager investigating the concern will present the reason for the disciplinary action and the details of the breach of the Learning Agreement / Apprenticeship Learning Agreement.

C6 The learner will be invited to provide their view and to respond to the allegations.

C7 The learner's Personal Tutor or Assessor will provide the Panel with a character reference and a summary of academic progress to date.

C8 In all cases, the learner (and parents/guardians/ employers) will be informed of the decision in writing (see section D).

C9 The Disciplinary Panel will normally be held in the learner's absence if they do not respond to the invitation or fail to attend. However, if the Panel decides to reconvene, then the learner will be informed of the new date.

C10 All documentation relevant to the work of the Panel will be held centrally in compliance with GDPR by the Learner Services Manager.

D) Outcomes of a Disciplinary Panel

D1 If a Disciplinary Panel concludes that there is sufficient evidence of misconduct, then, the outcomes can range from a First Written Warning, a Final Written Warning to the Exclusion of the learner / Termination of the Apprenticeship.

D2 The learner (and parents/guardians/employer/agencies) must be informed of the decision of the Panel in writing and by recorded delivery within 5 working days of the date of the Panel. The letter must clarify the terms and conditions of Exclusion / Termination or re-admission. The letter should also inform the learner of their right to appeal against the Panel's decision.

D3 If a decision is made to re-admit the learner from an agreed date, the Learner Services Manager must inform all the relevant managers. In such circumstances the learner will be required to abide by any specified conditions on their return.

D4 The Personal Tutor or Assessor will update the learner's records with the outcome of the panel on eDrac /Onefile and will monitor adherence to the specified conditions.

D5 If, as a result of the Panel, a decision is made to exclude the learner or terminate the apprenticeship of the learner, then, the Learner Services Manager must inform all the relevant managers (including the MIS/Registry manager) and the Personal Tutor must ensure that the learner is withdrawn from all programmes of study in accordance with college procedures.

D6 Learners excluded from college or who have their apprenticeship terminated, who wish to make an application to study at any Grŵp Llandrillo Menai campus in the following year, must attend an Admissions Panel meeting. This will be convened by the Learner Services Manager, chaired by the Assistant Principal and attended by the Director, Learner Services or other Assistant Principal or Director.

E) Appeals Procedure

E1 Learners have the right to appeal against exclusion or termination of their apprenticeship if the panel has not followed the correct procedures. Examples of this include:

- The panel did not allow the learner sufficient time to explain mitigating circumstances
- Procedural errors
- The availability of new evidence

E2 An appeal should be made in writing by the learner to the college Principal within 7 working days of receipt of written confirmation of the exclusion or termination of apprenticeship.

E3 If the Principal considers that there are sufficient grounds, the appeal will be heard by the Principal and one other member of Tîm Strategol not involved in the original disciplinary meeting within 20 working days of receipt of the written appeal. The Director, Learner Services will act as clerk to the Panel.

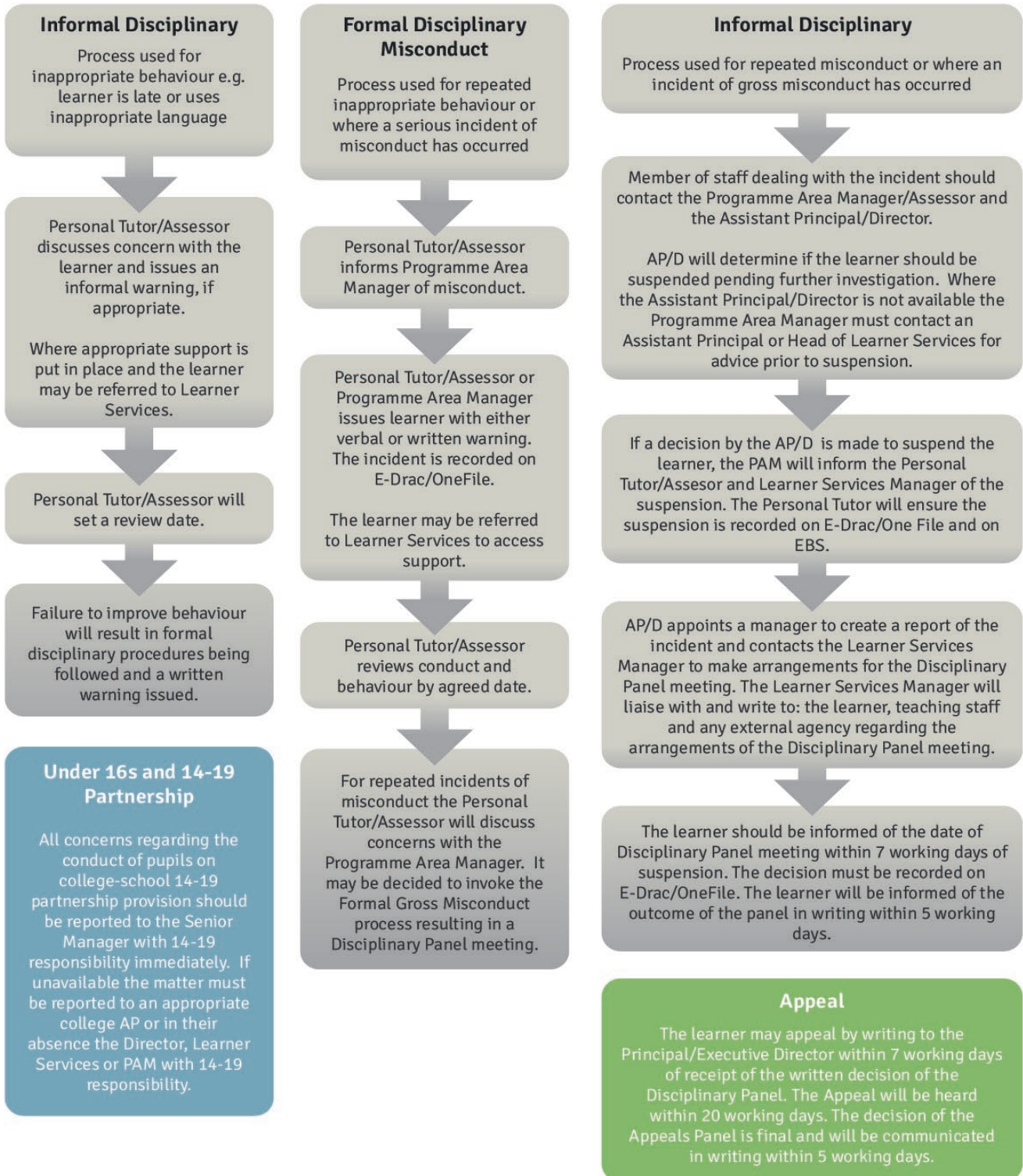
E4 The Learner Services Manager will provide the Panel with the written record of the Disciplinary Panel meeting. The Appeals Panel may consider any evidence available at the time but not considered by the original disciplinary hearing as long as it is presented to the Principal 7 working days before the date of the Appeal meeting.

E5 As previously, the learner has the right to be accompanied by a friend, parent, guardian, employer or member of the Student Union (but no legal representation).

E6 The decision of the Appeals panel is final and will be communicated and confirmed in writing within 5 working days.

Appendix A - Disciplinary Action Flow Chart
Learner Disciplinary Procedure

The diagram below shows the stages of the disciplinary process to be used when a learner's behaviour is in breach of the Learner Code of Conduct.



Appendix B - Definitions of terms:

	Term	Definition
4.3	Gender Based Violence	<ul style="list-style-type: none"> ● Domestic abuse (including coercive control) ● Stalking ● Harassment or any unwanted conduct which has the purpose or effect of violating the dignity of an individual, or creating an intimidating, hostile, degrading, humiliating or offensive environment for them, relating to their gender, sexual orientation or gender identity. ● Rape and sexual assault ● Child and childhood sexual abuse ● Commercial sexual exploitation, including prostitution, pornography and trafficking ● Female genital mutilation ● Forced and child marriages ● Abuse by other family members, so called ‘honour-based’ and dowry-related violence crimes ● Threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or private life
3.2	Protected Characteristics	<ul style="list-style-type: none"> ● Age ● Disability ● Gender ● Gender reassignment ● Marriage and Civil Partnership ● Pregnancy and Maternity ● Race ● Religion or Belief ● Sexual Orientation

Equality Impact Assessment (FAO Equality Panel)			
Date:		12.10.2022	
Policy / Procedure/Process / Plan Title:		Learner Conduct Policy	
Personnel Involved in Equality Impact Assessment:		Gwennan Richards, Angharad Roberts	
Consideration	Response	Further evidence requirements	Outcome
Which protected groups might be disadvantaged by the policy?	<p>The policy should consider more carefully taking a systemic, compassionate approach with all people.</p> <p>The policy sets out clear expectations of learners - although this list of behaviours is reasonable, it does not take into account challenges faced by some protected groups e.g. “attending all sessions regularly and punctually” may be more challenging for those with a chronic illness or caring responsibilities, and allowances should be made for such circumstances so that individuals do not face disciplinary procedures for issues related to their protected characteristics.</p> <p>When trying to establish the cause of behaviours (p9, point A3), consideration should be given to the impact of protected characteristics. ‘Hidden disabilities’ is referred to but there are many other issues relating to protected characteristics e.g. pregnancy, maternity or menopause, that may impact behaviours and performance. Where such factors are identified as contributing factors it is important learners are supported instead of immediately disciplined (as even an informal disciplinary can have negative impact on learners, and may be discriminatory if the underlying cause is related to a protected characteristic); the policy should therefore include referral to support services as a pre-disciplinary part of the process.</p>	<p>Consideration given to potential challenging circumstances due to a protected characteristic that could result in learners being in breach of the learner code of conduct</p>	
Which protected groups might benefit from the policy?	<p>The policy could be strengthened with regards to ensuring that protected groups benefit if the following amendments were made:</p> <p>Section 4.3 would be further strengthened if the example relating to the Equality policy explicitly listed discriminatory behaviour e.g. Harassing, victimising or discriminating behaviour against any other person on grounds of age, disability, race, ethnic or national origin, religion or belief, sex, sexual orientation, gender identity, gender reassignment, pregnancy, maternity, marriage or civil partnership, colour or socio-economic background.</p>	<p>Amendments made to section 4.3 to reflect protected groups more specifically and</p>	

	<p>Section 6 (paragraph 1) - having English as a second language does not equate to having an Additional Learning Need - consider where best to place this sentence. It doesn't fit under section 6.</p> <p>The policy does not refer to gender based violence. The policy should consider including the following information:</p> <p>Gender based violence (GBV) is a function of gender inequality and is normally an abuse of male power and privilege. It takes the form of actions that result in physical, sexual and psychological harm or suffering or affront to human dignity, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or private life.</p> <p>While it is acknowledged that gender based violence mostly affects women and that predominantly men are the perpetrators, it may impact individuals of any age, gender, sexual orientation, faith or ethnicity.</p> <ul style="list-style-type: none"> ● Domestic abuse (including coercive control) ● Stalking ● Harassment or any unwanted conduct which has the purpose or effect of violating the dignity of an individual, or creating an intimidating, hostile, degrading, humiliating or offensive environment for them, relating to their gender, sexual orientation or gender identity. ● Rape and sexual assault ● Child and childhood sexual abuse ● Commercial sexual exploitation, including prostitution, pornography and trafficking ● Female genital mutilation ● Forced and child marriages ● Abuse by other family members, so called 'honour-based' and dowry-related violence crimes ● Threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or private life <p>Gender based violence is not condoned by the Grŵp. We are committed to working in partnership with relevant local organisations to support victims of gender based violence, including assisting victims to report suspected crimes to the police. Allegations or incidents of gender based violence may also be treated as a breach of the Learner Code of Conduct and relevant procedures followed.</p>	<p>particularly around gender based violence</p>	
<p>Does the policy advance equality and foster good relations?</p>	<p>The policy and procedure has been assessed as having a neutral impact as the documents do not engage with relations with and between protected characteristics groups. It is possible that</p>		

	there may be an implied positive impact for this category but it would be challenging to evidence.				
Could any part of the policy discriminate unlawfully?	Not if the above issues are addressed within the policy.				
Are there any other policies that need to change to support the effectiveness of this one	No.				
Conclusion: Tick one	Adjust the Policy		Continue the Policy and process	<input type="checkbox"/>	Stop and Remove the Policy
List actions for adjustments:	<p>Consideration given to potential challenging circumstances due to a protected characteristic that could result in learners being in breach of the learner code of conduct</p> <p>Amendments made to section 4.3 to reflect protected groups more specifically and particularly around gender based violence</p>				
Date Actions to adjust completed	The above recommendations have been implemented and policy revised 18/10/2022				
Signed:	Angharad Roberts		Date:	12.10.2022	

END

Welsh Language Impact Assessment (WLIA) (FAO Panel Iaith)

Date:	12.10.22		
Policy / Procedure/Process Title:	Learner Conduct Policy		
Personnel Involved in WLIA:	Gwennan Richards, Angharad Roberts		
Consideration	Response	Further evidence requirements	Outcome
What positive effects, if any, will the policy decision have on opportunities for persons to use the Welsh language, and treating the Welsh language no less favourably than the English language?	If the changes below are made then the policy will ensure that learners who are going through formal disciplinary procedures can do so in Welsh.	Amendments made as below.	
What adverse effects, if any, will the policy decision have on opportunities for persons to use the Welsh language, and treating the Welsh language no less favourably than the English language?	If below changes are made then we don't foresee any adverse effects for learners to use the Welsh language.	Amendments made as below.	
Opportunities to promote the Welsh language e.g. status, use of Welsh language services, use of Welsh in	There is an opportunity to make learners aware that they can through the formal disciplinary process in Welsh.	Amendment under 3.1: The learning agreement is available in Welsh or English.	

<p>everyday life, Welsh at college increased?</p>	<p>The policy could consider noting that the learner agreement is available in both Welsh and English.</p>		
<p>Are there sufficient Welsh-speaking staff available to implement the policy or procedure? If not, what steps will be taken to ensure that sufficient staff are available, and by when?</p>	<p>Certain programme areas may find this difficult, but we employ two simultaneous translators who can provide this service during learner formal disciplinary processes. Alternatively, external companies can be used as well.</p>		
<p>Does the policy or procedure comply with Grŵp Llandrillo Menai's Welsh Language Policy and Welsh Language Standards compliance notice?</p>	<p>No, the policy does not comply with Service Delivery Standard 26 as follows:</p> <p>If you invite an individual ("A") to a meeting, and</p> <p>(a) the meeting relates to a complaint about A or made by A;</p> <p>(b) the meeting relates to disciplinary proceedings regarding A; or</p> <p>(c) the purpose of the meeting is to provide student support to A,</p>	<p>All learners have the right to a Welsh speaking personal tutor. Where learners have a non-Welsh speaking personal tutor, it won't be possible to take the learner through the informal aspect of the disciplinary process in Welsh (unless they use simultaneous translators - which may be impractical). The policy could make reference to personal tutors / assessors and managers being mindful of learners' linguistic needs at</p>	

	<p>you must—</p> <p>(i) ask A whether A wishes to use the Welsh language at the meeting, and</p> <p>(ii) inform A that you will, if necessary, provide a translation service from Welsh to English and from English to Welsh for that purpose.</p> <p>or Service Delivery Standard 26A:</p> <p>You must arrange for a simultaneous translation service from Welsh to English and from English to Welsh to be available at a meeting—</p> <p>(a) if—</p> <p>(i) the meeting relates to a complaint about the invited individual ("A") or made by A;</p>	<p>this stage of the process (as well as the formal stage).</p> <p>Amend the following:</p> <p>Section B1.9 - make clear that the review meeting (as part of formal action) with personal tutor/assessor can be conducted in Welsh (if needed, with simultaneous translation).</p> <p>Any following meetings as part of the formal disciplinary process should be available in Welsh if learner would prefer this (if needed, with simultaneous translation). This includes sections:</p> <p>B2.3</p> <p>Section C - disciplinary panel procedures, including any reports / paperwork shared with the learner should be available in Welsh if the learner has noted their language preference for</p>	
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	<p>(ii) the meeting relates to disciplinary proceedings regarding A; or</p> <p>(iii) the purpose of the meeting is to provide student support to A;</p> <p>and</p> <p>(b) if A has informed you that A wishes to use the Welsh language at the meeting;</p> <p>unless you conduct the meeting in Welsh without the assistance of a translation service.</p>	<p>disciplinary procedure to be in Welsh.</p> <p>B2.4 - is letter bilingual automatically? Or is it sent in learner's preferred language - noted on eDrac</p>				
<p>Conclusion: Tick one</p>	<p>Adjust the Policy</p>	<p><input type="checkbox"/></p>	<p>Continue the Policy and process</p>	<p><input type="checkbox"/></p>	<p>Stop and Remove the Policy</p>	<p><input type="checkbox"/></p>
<p>Adjustment needed in policy to increase positive effects and decrease adverse effects on opportunities for persons to use the Welsh language, and treating the Welsh language no less favourably than the English language:</p>	<p>Amendment under 3.1:</p> <p>The learning agreement is available in Welsh or English.</p> <p>Amend the following:</p> <p>Section B1.9 - make clear that the review meeting (as part of formal action) with personal tutor/assessor can be conducted in Welsh (if needed, with simultaneous translation).</p>					

	<p>Any following meetings as part of the formal disciplinary process should be available in Welsh if learner would prefer this (if needed, with simultaneous translation). This includes sections:</p> <p>B2.3</p> <p>Section C - disciplinary panel procedures, including any reports / paperwork shared with the learner should be available in Welsh if the learner has noted their language preference for disciplinary procedure to be in Welsh.</p> <p>B2.4 - is letter bilingual automatically? Or is it sent in learner's preferred language - noted on eDrac</p>		
Date Actions to adjust completed	<p>The above recommendations have been implemented and policy revised 18/10/2022</p>		
Signed:	Angharad Roberts	Date:	12.10.2022

