



## The Learner Behaviour and Conduct Policy

### 1. Introduction

#### 1.1 The Purpose

CareTrade is committed to providing outstanding educational opportunities for all learners. CareTrade recognises its duty of care towards all learners, staff, and visitors. This policy deals with the behaviour of learners and the practice which informs disciplinary practice, which could lead to exclusion of the project.

#### 1.2 Aims

**This policy aims to:**

- Provide a consistent approach to behaviour management
- Define what we consider to be unacceptable behaviour, including bullying and discrimination
- Outline how learners are expected to behave
- Summarise the roles and responsibilities of different people in the school community with regards to behaviour management
- Outline our system of rewards and sanctions

#### 1.3 Link to Vision and Beliefs

**CareTrade's belief** is "... that employment is the biggest single factor that will transform the life of an autistic person..."

**CareTrade's vision for the future** is "A world that embraces neurodiversity in the workplace and all autistic people lead a purposeful, working, life"

By staff supporting learners on The Autism Project (TAP) to fully understanding appropriate/professional behaviour in and out of the workplace, this will support learners progressing towards employment and their future.

#### 1.4 Legislation and statutory requirements

This policy is based on advice from the Department for Education (DfE) on:

- The Equality Act 2010
- The Care Act 2014
- Adults at Risk
- The Prevent Duty
- Education Act 2002

- Education and Inspections Act 2006
- SEND code of practice
- DFE guidance

## 2. Behaviour Approach and Definitions

### 2.1 The Autism Project's Approach

The Autism Project (TAP) is an inclusive provider and all learners' needs are considered. TAP has a written statement of behaviour principles (appendix 1).

Learners are asked to sign a learner contract (see appendix 2) and to create and sign a classroom agreement (see appendix 3 for example agreement). They are given a chance to input and discuss what they think should be included in the agreement in a group discussion in the first class of the term.

Staff will identify any learners that may need Behaviour Support Plan (BSP) (see appendix 4) to support their behaviour. Job coaches will arrange a time to sit with any learners that have been identified to write their BSP, a tutor will also be present. Once the BSP is written it will then be shared with other staff that work with that learner. All staff will then follow the plan to ensure the learners behaviour is supported fully. BSP's will be reviewed as and when needed, but at least once a year. Any updates will be shared with staff.

Breaking of the agreement and/or learner contract at any point of the programme can result in a warning and/or exclusion.

**In the first instance** learners will be given a 'reminder' and asked not to repeat (a single 'reminder' may not be enough for some learners; this will be identified in their BSP and can be increased in line with their individual needs)

**If the learner continues to breach the agreement/contract a verbal warning will be given.** The verbal warning will be given to the learner in a meeting with their job coach and tutor.

**If the learners conduct continues to be unsuitable the learner will be given a written warning** and asked to attend a meeting with their tutor and job coach.

**If there is no change or a learner's conduct remains of concern, a final written warning will be given**, and the learner will be asked to attend a meeting with the Head of Education & Learning, a representative from their Local Authority and parents/ carers (if applicable).

The meeting will determine the next course of action, this will involve one of the following:

- Learner returned to the project with a stated probationary period that will be reviewed
- Learner is permanently excluded from the project, but can appeal

## 2.2 Definitions of behaviour

**Misbehaviour** is defined as:

- Disruption in lessons, and at break and lunchtimes
- Non-completion of classwork
- Lateness
- Poor attitude

**Serious misbehaviour** is defined as:

- Repeated breaches of the TAP rules
- Any form of bullying
- Vandalism
- Theft
- Fighting
- Racist, sexist, homophobic or discriminatory behaviour
- Possession of any prohibited items. These are:
  - Knives or weapons
  - Alcohol
  - Illegal drugs
  - Stolen items
  - Fireworks
  - Pornographic images
- Any article a staff member reasonably suspects has been, or is likely to be, used to commit an offence, or to cause personal injury to, or damage to the property of, any person (including the learner)
- Sexual violence, such as rape, assault by penetration, or sexual assault (intentional sexual touching without consent)
- Sexual harassment, meaning unwanted conduct of a sexual nature, such as:
  - Sexual comments
  - Sexual jokes or taunting
  - Physical behaviour like interfering with clothes
  - Online sexual harassment such as unwanted sexual comments and messages (including on social media), sharing of nude or semi-nude images and/or videos, or sharing of unwanted explicit content

## 3. Bullying

### 3.1 Definition of Bullying

**Bullying** is defined as the repetitive, intentional harming of one person or group by another person or group, where the relationship involves an imbalance of power.

Bullying is, therefore:

- Deliberately hurtful
- Repeated, often over a period of time
- Difficult to defend against

## Bullying can include:

TYPE OF BULLYING	DEFINITION
Emotional	Being unfriendly, excluding, tormenting
Physical	Hitting, kicking, pushing, taking another's belongings, any use of violence
<b>Prejudice-based and discriminatory, including:</b> <ul style="list-style-type: none"><li>• Racial</li><li>• Faith-based</li><li>• Gendered (sexist)</li><li>• Homophobic/biphobic</li><li>• Transphobic</li><li>• Disability-based</li></ul>	Taunts, gestures, graffiti or physical abuse focused on a particular characteristic (e.g. gender, race, sexuality)
Sexual	Explicit sexual remarks, display of sexual material, sexual gestures, unwanted physical attention, comments about sexual reputation or performance, or inappropriate touching
Direct or indirect verbal	Name-calling, sarcasm, spreading rumours, teasing
Cyber-bullying	Bullying that takes place online, such as through social networking sites, messaging apps or gaming sites

## 3.2 CareTrade's Approach to Bullying

**Bullying can be reported by any learner, parent/ carer, or staff member.**

Learners are informed during induction who The Autism Project Designated Safeguarding Leads (DSL's) are and how they can contact them.

Learners are also reminded that they can speak to any member of staff if they have a concern or issue with bullying. Learners are given all staff work mobile numbers and work email addresses.

Parent/ carers are informed during the parent/ carer induction who the DSL officers are and how they can contract them. Parents/ cares are also given the learners Job Coach's work mobile numbers and email address. **Staff are contactable 9-5.30pm Monday to Friday in term time only**

If any learner or parent/carers has a concern around bullying they can contact:

- Mark Finch Head of Education & Learning - [mark.finch@caretradeuk.org](mailto:mark.finch@caretradeuk.org)
- Jemma Dear TAP Manager - [jemma.dear@caretradeuk.org](mailto:jemma.dear@caretradeuk.org)

All staff are trained in dealing with Safeguarding concerns and how to report/ log a concern on Smoothwall (this is a secure online safeguarding app). Staff refresh their safeguarding training annually. Please see Safeguarding and Prevent Procedure for further details.

All safeguarding concerns and incidents are logged on Smoothwall. TAP DSL's meet once a month to carry out a safeguarding audit to ensure all actions have been followed up, learners have been spoken to, support has been implemented (if needed), identify any training needs for staff, and any workshops that could be useful for learners to attend.

**CareTrade will investigate any allegations of bullying by conducting an investigation.**

The investigation team will consist of DSL officers and TAP Senior Leadership Team (SLT) members, if needed wider CareTrade Leadership staff may be asked to be a part of the investigation team.

The investigation will include gathering evidence and conducting interviews with learners, parents/ carers (if applicable), and staff. Once all evidence has been gathered and evaluated, the lead investigator will conclude and notify all parties involved of any further actions. A learner can appeal any decision made by the investigation team.

The Autism Project supports learners that have been bullied, and those vulnerable to bullying by offering well-being support by the Wellbeing Lead. The Autism project would work with the young person to ensure a support package is built around them so that they feel supported and comfortable.

#### **4. Zero-tolerance Approach to Sexual Harassment & Sexual Violence**

CareTrade encourages a culture where learners feel comfortable raising concerns about sexism and sexual harassment. **Staff encourage learners to call out unacceptable behaviour and staff will explain to learners what a 'zero-tolerance' approach means.**

CareTrade staff encourage all learners to report 'lower level' incidents. Staff will ensure learners understand that 'lower level' incidents are things such as sexist name-calling or being sent unwanted explicit pictures or videos.

CareTrade staff will call out behaviour as it happens as this shows all learners what is and what isn't ok. If the incident is very 'low level' – for example, a learner makes a comment that staff believe they don't fully understand – it may be appropriate to explain why it wasn't OK and ask the learner to apologise to the victim on the spot. CareTrade staff fully understand the meaning of model appropriate behaviour and language that will create a culture of respect.

CareTrade will ensure that all incidents of sexual harassment and/or violence are met with a suitable response, and never ignored.

Learners are encouraged to report anything that makes them uncomfortable, no matter how 'small' they feel it might be.

The Autism Projects response will be:

- Proportionate
- Considered
- Supportive
- Decided on a case-by-case basis

CareTrade has procedures in place to respond to any allegations or concerns regarding a learner's safety or wellbeing. These include clear processes for:

- Responding to a report
- Carrying out risk assessments, where appropriate, to help determine whether to:
  - Manage the incident internally
  - Refer to early help
  - Refer to adult's social care
  - Report to the police

## 5. Malicious Allegations

Where a learner makes an allegation against a member of staff and that allegation is shown to have been deliberately invented or malicious, CareTrade will discipline the learner in accordance with this policy.

Where a learner makes an allegation of sexual violence or sexual harassment against another learner and that allegation is shown to have been deliberately invented or malicious, CareTrade will discipline the learner in accordance with this policy.

In all cases where an allegation is determined to be unsubstantiated, unfounded, false or malicious, CareTrade (in collaboration with the local authority designated officer, where relevant) will consider whether the learner who made the allegation is in need of help, or the allegation may have been a cry for help. If so, a referral to young person's social care may be appropriate.

CareTrade will also consider the pastoral needs of staff and learners accused of misconduct.

Please refer to our Adult at Risk Safeguarding and Prevent policy and procedure for more information.

## 6. Roles and Responsibilities

### 6.1 Education Advisory Panel (EAP)

EAP is responsible for reviewing and approving the written statement of behaviour principles (appendix 1) and this Learner Behaviour and Conduct Policy on behalf of the Trustee Board. Together with the Head of Education & Learning the EAP monitor the policy's effectiveness and they hold the Head of Education & Learning to account for its implementation.

## 6.2 Head of Education & Learning

**The Head of Education & Learning is responsible for: -**

- Ensuring the Learner Behaviour and Conduct Policy is in place and implemented by all TAP staff
- Monitoring its effectiveness and reporting this to the EAP
- Reviewing the statement of behaviour principles (appendix 1) and this policy annually with senior staff and the EAP

Head of Education & Learning has overall responsibility for this policy.

The Head of Education & Learning will ensure that; the learning environment encourages positive behaviour; staff deal effectively with poor behaviour and implement this policy consistently; staff are given appropriate training and support to do this.

## 6.3 Staff

**Staff are responsible for:**

- Implementing the behaviour policy consistently
- Modelling positive behaviour
- Providing a personalised approach to the specific behavioural needs of particular learners
- Working with the learner to implement a behaviour support plan
- Recording behaviour incidents on Smoothwall

**DSL's will support staff in responding to behaviour incidents.**

## 6.4 Parent/ carer (if applicable)

**Parents/carers are expected to:**

- Support their young person in adhering to the learner code of conduct (appendix 1)
- Inform TAP of any changes in circumstances that may affect their young person's behaviour
- Discuss any behavioural concerns with the TAP staff promptly

# 7. Behaviour Management

## 7.1 Classroom and Work Placement

All TAP staff are responsible for setting the tone and context for positive behaviour within the classroom and whilst the learners are on work placement. Staff will:

- Create and maintain a stimulating environment that encourages learners to be engaged
- Display the learner code of conduct classroom rules in the learning environment
- Ensure learners are inducted fully into a work placement, this will include meeting with the manager before placements starts, so that expectations and placement rules can be discussed, any strategies records on support plan and a risk assessment to be implemented
- Develop a positive relationship with learners, which may include:
  - Greeting learners in the morning/at the start of sessions
  - Establishing clear routines

- Communicating expectations of behaviour in ways other than verbally
- Highlighting and promoting good behaviour
- Concluding the day positively and starting the next day afresh
- Having a plan for dealing with low-level disruption
- Using positive reinforcement

## 7.2 Learner Support

CareTrade recognises its legal duty under the Equality Act 2010 to prevent learners with a protected characteristic from being at a disadvantage. Consequently, our approach to challenging behaviour may be differentiated to cater to the needs of the learner.

All learners will be offered support from the Wellbeing Lead.

Learners that need support with their behaviour will be given a Behaviour Support Plan. This plan will be written with the learner present and fully involved.

## 7.3 Safeguarding

CareTrade recognises that changes in behaviour may be an indicator that a learner needs help or protection.

We will consider whether a learner's misbehaviour may be linked to them suffering, or being likely to suffer, significant harm. Where this may be the case, we will follow our safeguarding and prevent policy and procedure.

## 8. Learner Transition

### 8.1 Transition on to TAP

To ensure a smooth transition onto TAP, new learners will have transition sessions with TAP staff. In addition, staff members will visit learners in their current provider. Learner transition onto the project will be overseen by TAP SLT team to ensure all learners receive a transition programme.

To ensure behaviour is continually monitored and the right support is in place, information related to learner behaviour issues may be requested from their current education provider and then shared with relevant staff at the start of the term or year.

### 8.2 Transition to support progression after TAP

**Depending on the learner progression route TAP staff will do the following:**

<b>Progression route:</b>	<b>TAP staff will do:</b>
<b>Employment with access to work support (ATW) from wider CareTrade team</b>	Formal handover will be arranged to ensure learners behaviour support continues and is regularly reviewed.
<b>Further education/ or an apprenticeship</b>	New education provider to be invited to EHCP annual review. TAP to share any BSP with new provider.
<b>Voluntary role</b>	If TAP have any behaviour concerns with a learner that is moving onto a



	voluntary role TAP will seek advice from adult social services and if needed report these concerns to adult social services
<b>Still seeking employment attending aumil job club (part of the wider CareTrade team)</b>	Formal handover will be arranged to ensure learners behaviour support continues and is regularly reviewed

## 8. Training

Staff at CareTrade are not trained in managing challenging behaviour which requires proper use of restraint. **Therefore, CareTrade would not accept a learner that presents this kind of challenging behaviour.**

All Staff are regularly trained in the following areas: Safeguarding, Prevent, Peer on Peer abuse, Mental Health first aid, First aid at work and Equality and Diversity

## 9. Monitoring arrangement

This behaviour policy will be reviewed by the Head of Education & Learning annually. The policy will also be approved by the Education Advisory Panel and signed by the Chair of the EAP.

## 10. Link with other policies

This behaviour policy is linked to the following policies:

- Safeguarding and Prevent Policy
- ICT and Internet acceptable use Policy
- Online Safety

## Appendix 1: written statement of behaviour principles for The Autism Project learners and staff



- Every learner understands they have the right to feel safe, valued, and respected, and learn free from the disruption of others
- All learners, staff and visitors are free from any form of discrimination
- Staff and volunteers set an excellent example to learners at all times
- The behaviour policy and procedure are understood by learners and staff
- Learners and staff will set classroom rules at the beginning of the project
- Learners are supported to take responsibility for their actions
- Parent/ carers (if applicable) are involved in behaviour incidents to foster good relationships between the school and learners' home life

EAP also emphasises that violence or threatening behaviour will not be tolerated in any circumstances.

## Appendix 2: The Autism Project Learner Contract

For me to get the most out of The Autism Project (TAP), it's important for me to know the following information and to stick to some simple rules. This will help me complete the course to the best of my ability and enable the TAP staff to support me well.

- TAP begins on [INSERT DATE], I will attend TAP Monday to Friday. I do not have to attend during TAP half-terms and holidays.
- I will stick to my timetable (given to me by my job coach) and make sure I arrive and leave at the right times.
- I will follow all COVID safety rules and not attend if I have symptoms (see handout).
- If I am sick, cannot attend for any reason, or will be late on a workday, I will let my manager know before 9:00am. I will also let my job coach know.
- If I am sick, cannot attend for any reason, or will be late on a class day, I will let my job coach or tutor know before 9:30am.
- If I am sick for 5 days or more, I will need to get a sick note from my doctor to give to my job coach.
- I understand that I am responsible for my own actions whilst on TAP. This includes:
  - Getting myself to and from TAP every day
  - Making sure I am on time
  - Sorting out my own lunch
  - Making sure I am back from lunch at the right time
  - Making sure I have the contact details of staff
  - Behaving professionally and sensibly whilst at TAP
- I will be supported to help me keep to the terms of this contract, but I understand that if I do break the terms of this contract, it may result in disciplinary action. This may result in me losing my place on TAP.
- I promise to let a member of TAP staff know if I have any worries or questions about my work placement or qualification. They will try their best to help me!

Learner's signature:

.....

Date:

.....

CareTrade Staff signature:

.....

Date:

.....

## Appendix 3: EXAMPLE- Classroom Agreement

We will:

- be respectful to each other – staff and learners
- listen to instructions
- work as a team
- be polite
- talk to a member of staff if there is a problem
- support each other
- be on time
- work hard
- ask if something is confusing
- arrive on time – in the morning and after every break

We will not:

- swear
- talk over other people
- be disrespectful to others – staff or learners
- tell inappropriate jokes
- talk impolitely
- disrupt the class by poor behaviour
- eat or drink during lessons
- use mobile phones in class
- be violent
- bully other people
- use inappropriate language
- talk too much

## Appendix 4: Behaviour Support Plan

### What do I find difficult?

Specific activities, lessons or tasks that I find difficult?

### What happens at the moment when I find things difficult?

List the actions/strategies of learner and staff members

### What support do I need?

What can I do? What can Staff do?

### What support do I need?

What can I do? What can Staff do?