

# Code of Conduct and Exclusion Policy



## Learner Code of Conduct Procedure

### 1. Introduction

Make UK positively encourages its learners to behave and communicate with respect for others and their property and to develop responsible approaches that support employability and good citizenship skills required in the wider community.

A learner is any person enrolled on any type of course through Make UK or one of its external centers. When a learner signs an enrolment form to join a course, they are also signing to adhere to Make UK's Code of Conduct as prescribed in this policy.

### 2. Purpose

The Code of Conduct is intended to ensure that every learner:

- achieves their individual potential
- shows commitment to study and positive behaviors
- shows respect for others and themselves irrespective of disability, age, gender, ethnicity and religion
- enables learners, staff and others using the center to continue their activities without interference of any kind
- recognises the need to respect the law at all times
- develops behaviors to support their employability and their contribution to the community as citizens
- ensures that they and others in Make UK are safe and secure

The Code of Conduct procedures apply to all learners at Make UK including:

- during lessons, breaks and social opportunities
- all study locations, including educational and residential visits
- travel to and from Make UK including public transport, supplied coaches
- incidents outside Make UK where they have a direct impact and / or other learners at the center e.g. cyberbullying

### 3. Principles

The police will be informed if the law has been broken.

- Any incidents that may be deemed as a possibility of radicalisation must be reported to the Safeguarding Team and the Director of Apprenticeships and Skills even if, subsequently, it is deemed to be a false alarm.
- Every effort will be made to ensure the learner continues their learning when the code of conduct action is applied.
- All Code of Conduct matters will be dealt with in strict confidence and information concerning safeguarding and child protection will only be shared on a need-to-know basis.
- Records will be maintained for a full academic year, unless they are for Stage 3 Hearings, then they will be retained for future reference.
- Details of Stage 3 Code of Conduct hearings may be used to assess a learner's suitability to progress onto courses in the future.

- If a learner under 18 is suspended from the center while awaiting a Code of Conduct hearing, they may be permitted to leave the premises but only if a parent is able to collect them. Refer to the Exclusion section for further details – Appendix E
- In all cases when a learner is under the age of 18 or considered to be vulnerable the matter should be reported to the Parent/Guardian, legal carer, employer or peer representative.

#### **4. Procedure**

The procedure for Code of Conduct hearings has five stages as detailed below. Please refer to Appendix A for more step-by-step information.

**Stage 1:** Informal hearing with verbal guidance and agreed actions

**Stage 2:** Formal hearing with written guidance and agreed actions

**Stage 3:** Final formal hearing may have one of the following outcomes:

- Written guidance and an agreed firm and final action plan
- Exclusion from the Centre. (See Exclusions section – Appendix E)

**Stage 4:** The appeal procedure

A learner can appeal any stage of the Code of Conduct procedure if they wish to provide more information or disagree with an aspect of the procedure. Appeals must be in writing to the Director of Apprenticeships and Skills, using the correct form (Appendix D) setting out reasons for appeal. Appeal requests must be sent within one week of the date on the Code of Conduct letter confirming the decision.

If the Director of Apprenticeships and Skills deem that there is a case to hear, a new investigating officer will be appointed. The role of the investigating officer is to confirm to the Director of Apprenticeships and Skills:

- The Code of Conduct Panel has followed Make UK procedure
- The Code of Conduct Panel has acted fairly and considered all relevant matters
- If there is any new or further information to consider.

If any of the above has not taken place, then the Director of Apprenticeships and Skills will ask for the Code of Conduct hearing to take place again (Appeal Hearing) and they will chair the panel; otherwise, the outcome of the original Code of Conduct hearing will be upheld.

If the Director of Apprenticeships and Skills re-instate an excluded Learner, a separate hearing between the Head of Education and the Compliance Manager should take place to plan the careful re-integration of the learner.

**Stage 5:** Code of Conduct Procedure for a criminal offence or unlawful behavior.

If a learner breaks the law, the police will always be called. Where the police offer Make UK the option of dealing with the matter using Make UK Code of Conduct procedure, we will refer to Stage 3.

Refer to Appendix B for examples of unacceptable behaviors.

#### **5. Support**

Support for the learner is automatic and will take into account their age and learning needs.

- a. Learners aged under 18 and all vulnerable adults must be accompanied by a parent/guardian/legal carer or employer representative at all stage 2 and 3 Code of Conduct Hearing Panels. Sufficient notice will be given in advance of the hearing.
- b. Learners aged 18+ should be supported by an independent member of staff.

Any learner who believes they have been discriminated against, irrespective of the outcome of the hearing can have a relevant representative or advocate at any stage. Advice on Make UK Complaints Procedure may also be offered.

## **6. Outcomes of Code of Conduct Hearings**

Within the meeting, the outcome of the Code of Conduct Hearing will be confirmed verbally. In complex situations, the panel may ask for 24 hours reflection time.

Immediately following the meeting, a phone call will be made to the parent/guardian of a learner under the age of 18, if they are unable to attend the meeting.

Within 5 working days, the outcome of the Code of Conduct Hearing will be confirmed in writing to the learner

Within 5 working days, the outcome of the hearing will be copied to the parent/ guardian/ legal carer/ employer if the Learner is under 18.

Where very serious behavioral issues are being addressed a learner may be withdrawn or excluded from Make UK (See Exclusion Section – appendix E).

### **Terminology:**

'Withdraw' Where the learner voluntarily withdraws from the center.

'Exclude' Where a learner is permanently excluded from Make UK, please refer to the conditions set in the 'Exclusion' section – Appendix E.

## **7. Monitoring**

Learner Code of Conduct procedures are monitored on a termly basis by the Compliance Manager and the Head of Education. The outcomes are reported to the SMT who will escalate to Board level.

## **8. Membership of Hearing Panels**

No member of staff may be involved in a Code of Conduct Hearing if they have been involved directly in the incident(s) giving rise to the use of the Code of Conduct procedure.

## **9. Exceptional circumstances**

The Director of Apprenticeships and Skills are the only member of the center who can automatically suspend a learner or call an immediate stage 3 hearing, if they deem a learner's behavior warrants serious consideration – refer to Exclusion Section Appendix E.

## Appendix A: Stages of the Code of Conduct Procedure

STAGE 1 – refer to Appendix B for examples

|                           |  |
|---------------------------|--|
| 1. Purpose                | To address and provide a verbal warning where the code of conduct has not been followed.   |
| 2. Procedure              | Interview with learner and Parent/Guardian, legal carer, employer or peer representative of learners under the age of 18 or considered to be vulnerable. Details of the occurrence should be recorded on the MIS.  |
| 3. Notice                 | Immediately following the breach of Learner Code of Conduct verbally, an entry should be made on the MIS and a telephone call to Parent/Guardian, legal carer, employer or peer representative if the learner is under 18 years of age or considered to be vulnerable.   |
| 4. Panel                  | Compliance Manager, Head of Education  |
| 5. Learner representation | Parent/Guardian, legal carer, employer or peer representative (not compulsory at this stage)   |
| 6. Outcome / Sanctions    | <ul style="list-style-type: none"> <li>• Verbal warning and guidance for improvement</li> <li>• Actions and targets agreed</li> <li>• Referral for action under Stage 2 if the matter is considered serious.</li> </ul>  |
| 7. Follow up              | <ul style="list-style-type: none"> <li>• Notes of the hearing and any warning issued will be recorded on MIS by the Compliance Manager.</li> <li>• Learner may be offered support e.g. learning support/counselling/mentoring/coaching or close supervision.</li> <li>• Employers informed.</li> <li>• Parent/Guardian, legal carer, employer or peer representative notified by telephone or letter.</li> </ul> |
| 8. Learner Support        | If the learner requests it, a parent/guardian, legal carer, employer or peer representative may be present. If the learner is under 18 years of age or considered to be vulnerable, then the Parent/Guardian, legal carer, employer or peer representative must be informed and invited to Make UK. We have the right to refuse the presence of any person deemed to be unknown to Make UK.                      |

STAGE 2 – refer to Appendix B for examples

|            |   |
|------------|---|
| 1. Purpose | <ul style="list-style-type: none"> <li>• To address and provide a written record, where the code of conduct has not been followed, or conditions set at a Stage 1 Code of Conduct hearing have not been followed.</li> <li>• A Stage 2 hearing can be issued automatically for serious disregard of Make UK Code of Conduct, even if Stage 1 was not issued.</li> </ul> |
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|---------------------------|---|
| 2. Procedure              | <ul style="list-style-type: none"> <li>• Code of Conduct meeting otherwise known as a 'Hearing' and an interview with learner.</li> <li>• The breach is to be recorded on MIS.</li> <li>• The Parent/Guardian, legal carer, employer or peer representative must be informed of the hearing by telephone and letter if the learner is under 18 years of age or considered vulnerable.</li> </ul>  |
| 3. Notice                 | Within five working days following breach of Training Centre Code of Conduct a letter and/or phone call arranging the code of conduct hearing will be given to the learner. If the learner is under 18 or considered to be vulnerable a copy of the letter will be sent to their parent/guardian/legal carer/employer or other support adult to inform them of the date and arrangements for the hearing.   |
| 4. Panel                  | Compliance Manager, Head of Education   |
| 5. Learner representation | Parent/Guardian, legal carer, employer or peer representative   |
| 6. Outcome / Sanctions    | Written warning and guidance for improvement  |
|                           | <ul style="list-style-type: none"> <li>• Actions and targets agreed</li> <li>• Appropriate payment, in case of damage to property</li> <li>• Refer to actions under Stage 3, if the matter is considered very serious.</li> </ul>   |
| 7. Follow up              | <ul style="list-style-type: none"> <li>• Notes of the hearing and any warning issued will be recorded on MIS by the Compliance Manager</li> <li>• Learners may be offered support e.g. learning support/counselling/mentoring or coaching or close supervision.</li> <li>• Employers may be informed</li> <li>• Written confirmation to Learner/parent/guardian/employer</li> <li>• Learners at stage 2 for poor attendance will be referred to their employer</li> </ul> |
| 8. Learner Support        | <ul style="list-style-type: none"> <li>• If the learner requests it, a parent/guardian/legal carer or employer may be present.</li> <li>• Make UK has the right to refuse the presence of a person deemed to be unknown to Make UK</li> </ul>   |

STAGE 3 – refer to Appendix B for examples

|            |  |
|------------|--|
| 1. Purpose | <ul style="list-style-type: none"> <li>• To take action on most serious breach of the Code of Conduct and issue a final warning or terminate the training of the learner.</li> <li>• To take action on continued failure to comply with Stage 2 of Make UK Code of Conduct conditions.</li> <li>• A Stage 3 hearing can be issued automatically for serious disregard of Make UK Code of Conduct, even if Stage 1 or 2 were not issued.</li> </ul> |
|------------|--|

|                              |   |
|------------------------------|---|
| 2. Procedure                 | <ul style="list-style-type: none"> <li>• Code of Conduct meeting otherwise known as a 'Hearing' and an interview with learner.</li> <li>• The breach is to be recorded on MIS.</li> <li>• The Parent/Guardian, legal carer, employer or peer representative must be informed of the hearing by telephone and letter if the learner is under 18 years of age or considered vulnerable.</li> </ul>  |
| 3. Notice                    | <p>Within two working weeks of the breach of the Code of Conduct:</p> <ul style="list-style-type: none"> <li>• A letter and/or phone call arranging the code of conduct hearing will be given to the learner and parent/ guardian/ legal carer/ employer or other support adult to inform them of the date and arrangements for the hearing.</li> <li>• The learner may be suspended from Make UK, during this period and only allowed back to attend further hearings and interviews. Refer to the Exclusion section in appendix E, for guidance on 'suspension' or 'fixed term exclusion'.</li> </ul> |
| 4. Panel                     | Compliance Manager, Head of Education   |
| 5. Learner representation    | <ul style="list-style-type: none"> <li>• Parent/Guardian/legal carer/employer/peer representative/other (optional but actively encouraged)</li> <li>• Pre 18 learners or those considered as vulnerable must have the relevant representation at the hearing.</li> <li>• If a learner and their guardian refuse to attend the panel may decide to continue with the hearing.</li> </ul>   |
| 6. Outcomes / Sanctions      | <ul style="list-style-type: none"> <li>• Final written warning with guidance for improvement or permanent exclusion (See Exclusion section in appendix E)</li> <li>• For Pre 18 learners – please refer to Appendix E</li> <li>• Actions and targets agreed</li> <li>• Appropriate payment, in case of damage to property or legal action by Make UK, depending on the severity of the offence.</li> <li>• Any other appropriate sanction or a combination of those listed</li> </ul>   |
| 7. Follow up (if applicable) | <ul style="list-style-type: none"> <li>• Notes of hearing and any warning will be recorded on MIS, Actions confirmed and followed up by the Compliance Manager.</li> <li>• Learners may be offered support e.g. learning support/counselling/ mentoring or coaching or close supervision.</li> <li>• Employers will be informed</li> <li>• Written confirmation to learner/parent/guardian/employer</li> <li>• Learners at Stage 3 for very poor attendance will be referred to their employer</li> </ul>   |
| 8. Learner Support           | <p>If the learner requests it, a friend/parent/guardian/legal carer or employer may be present. Make UK, has the right to refuse the presence of any person deemed to be unknown to the center.</p>   |

STAGE 4 – Appeals hearing procedure, refer to Exclusion Section

|                              |  |
|------------------------------|--|
| 1. Purpose                   | To consider an appeal by a learner against action taken under Stage 1, 2 or 3 of the Code of Conduct Procedures. Also please refer to the Exclusion Section.   |
| 2. Procedures                | <ul style="list-style-type: none"> <li>• The learner and their nominated representative/s will be informed of their right to appeal.</li> <li>• Director of Apprenticeships and Skills will receive all applications for an appeal</li> </ul>  |
| 3. Notice                    | <ul style="list-style-type: none"> <li>• The learner must appeal in writing within one week of the date of the letter, setting out the reasons for appeal and using Make UK appeal form- Refer to the Appendix D.</li> <li>• In most Stage 3 cases, the learner will continue to be suspended from Make UK, during this period and only allowed back to attend hearings and interviews Refer to the Exclusion Policy for guidance on ‘suspension’ or ‘fixed term exclusion’.</li> <li>• The Appeal panel is to be organised by the Director of Apprenticeships and Skills</li> </ul> |
| 4. Appeals panel             | For appeal against Stage 3, the Director of Apprenticeships and Skills will chair the hearing along with two members of Make UK Management Team.   |
|                              | For appeal against Stage 1 or 2, any of the following can chair the panel:<br>Curriculum Lead<br>Workshop Manager  |
| 5. Learner representation    | <ul style="list-style-type: none"> <li>• Parent/Guardian/legal carer/employer/peer representative/other (optional but actively encouraged)</li> <li>• Pre 18 or vulnerable learners must have the relevant representation at the hearing, refer to Stage 3 panel</li> </ul>  |
| 6. Outcome / Sanctions       | <ul style="list-style-type: none"> <li>• The Appeal panel will agree outcomes and set action points.</li> <li>• The Appeal panel for Stage 3, may not take place if the Director of Apprenticeships and Skills deems it that the Hearing Panel has followed Make UK procedure in accordance with the Exclusion Policy.</li> </ul>  |
| 7. Follow up (if applicable) | <ul style="list-style-type: none"> <li>• Report of the hearing and its outcomes to be put on learner record.</li> <li>• Within 5 working days a letter is to be sent to the learner and their parent/ guardian/ legal carer/employer/supporter confirming the action taken</li> <li>• Within 5 working days a copy of the learner letter is to be sent to the Manager should the learner be excluded from learning</li> </ul>  |

## **Appendix B: Examples of unacceptable behaviors**

The examples given below are not a complete list and may be added to at the discretion of the Training & Development of Skills Director.

### **STAGE 1 Examples**

- Minor breaches of health and safety including the misuse or failure to wear PPE
  - Lateness to class
- Absenteeism below training center target – 85%
  - Not prepared for learning – no PPE, pens, papers etc.
- Mobile phone usage in class – unauthorised
- Eating and drinking in classrooms, open IT or workshop areas – unless water in closed bottles
- Playing music in public areas loud enough to disrupt other people
- Refusal to comply with a staff member's request, including receptionists or catering staff
- Swearing and bad language – directed to someone or just used in public areas
  - Threatening behavior – low level e.g. staring at others, menacing behavior
  - Unprofessional behavior – e.g. hugging, feet on sofa or tables etc.
- Wearing a hood or unprofessional dress in work e.g. a hat/cap, shorts etc.
- Work not submitted on time
- Boasting about bad behavior outside training center environment
- Smoking anywhere on Make UK premises designated as non-smoking areas
  - Repeated failure to sign in or out of the center.
- Using areas that are not authorised for learners
- Refusal to wear Make UK or company uniform and/or PPE
- Parking in unauthorised areas or on the site service roads

### **STAGE 2 Examples**

- Repeat of Stage 1 concerns
- Refusing to attend a Stage 1 hearing
- Repeated minor breaches of health and safety
- Continued poor attendance
- Plagiarism or other malpractice such as copying others' work
- Inappropriate comments that may be interpreted as bullying, discriminatory, belittling etc.
- Littering Make UK premises, including spitting
- Poor attitude towards tutor/lecturer or Make UK employees e.g. rolling of the eyes, abrupt reactions, slamming books on tables etc.
- Refusing to work in class or being rude to visitors or external clients
- Refusing to provide your full name and ID card to training center staff or providing the wrong identity

### **STAGE 3 Examples**

- Repeat of Stage 2 concerns
- Refusing to attend a Stage 2 hearing
- Any serious single act construed as a breach of health and safety
- Refusing to be search for drugs or offensive weapons – See Appendix C
- Bad behavior on Make UK premises
- Bad behavior on center or public transport, to include educational visits
- Cyber and verbal bullying include text messaging, Facebook, Twitter, TikTok etc.
- Cheating or Disruption in exams
- Damage to Make UK, Learners', staff or clients' property e.g. cars, bikes, walls tables, blocking toilets etc.
- Discriminatory comments or innuendos
- Disregarding Make UK or site speed limits
- Drug related activities e.g. in possession of drugs or drugs related tools or deemed to have taken drugs
- Hacking Make UK systems, Moodle, emails etc

- Inappropriate use or access of e-resources
- Interfering with safety equipment e.g. fire extinguishers, fire alarms, first aid books
- Possession of offensive weapons or making such weapons
- Smoking in non-designated smoking areas
- Stealing learner, staff or Make UK property
- Being under the influence of alcohol

### **Appendix C: Searching a learner and/or their possessions**

Make UK has a zero tolerance for drugs or any activities that may lead to threat or violence.

- Verbal abuse or physical abuse towards a learner, tutor/lecturer or MAKE UK employee
- Breach of Health and Safety guidelines and working in an unsafe manner that puts others at risk
- Refer to Make UK stop and search policy)

#### **Purpose**

This section aims to give guidance on how Make UK staff implement the search of a learner who may be involved in drug related activities, in possession of an offensive weapon or in possession of indecent / inappropriate materials.

#### **Clarification**

Make UK definition of a 'learner search' is where a learner volunteers to show the Safeguarding Officer or a member of Make UK Senior Management Team (SMT) that they are not in possession of drugs, drug related tools, an offensive weapon or indecent / inappropriate materials.

#### **Responsibility**

Only the Safeguarding Lead, Head of Education or a member of the Make UK Senior Management Team (SMT) is to conduct a learner search. Staff may be enlisted for support in such situations but only as a witness and not to conduct or assist in a learner search or the suspension of a learner.

#### **Refusal to participate**

If a learner refuses to cooperate with the instructions of a Safeguarding Lead in participating in being searched, or surrendering drugs, drug-related tools, offensive weapons or indecent / inappropriate materials, the Safeguarding Lead will immediately inform the learner that he or she is in breach of Make UK Code of Conduct Stage 3. Their lack of participation may lead to the Director of Apprenticeships and Skills permanently excluding them from the center, following a Stage 3 hearing.

If the learner continues to refuse to participate, then the Safeguarding lead will ask them to leave Make UK premises immediately and he or she will be escorted off the premises.

If the learner refuses to leave Make UK premises, then a member of Make UK Senior Management Team (SMT) is to be called who will take charge of the situation and may choose to enlist the support of the Police.

#### **Procedure**

##### Step 1:

If any member of staff suspects a learner of being under the influence of drugs or in possession of drugs, drug related tools, an offensive weapon or indecent / inappropriate materials, then he or she should call the Safeguarding Lead immediately. *Learner Code of Conduct and Exclusion Policy and Procedures*

##### Step 2:

The Safeguarding Lead will assess whether the situation is suspicious or not. If there is a valid concern, the Safeguarding Lead will call the Head of Education to act as a witness. If the Head of Education is not available, the Safeguarding Lead is to call the nearest center member of staff to act as a witness.

### Step 3:

The Safeguarding Lead will inform the relevant learner of the allegation, and that their possessions are going to be subject to a search. If the learner refuses to participate, refer to the above 'Refusal to participate' section.

### Step 4:

The Safeguarding Lead and the Head of Education will escort the learner to a quiet room or to an equivalent suitable private room to conduct the search.

If there is more than one learner, then the Safeguarding Lead may enlist the support of another staff member to supervise the remaining Learners. The role of the member of staff is to witness the behavior of the learners whilst the Safeguarding Lead is conducting his / her duties.

### Step 5:

The Safeguarding Lead will ask the learner to:

- Empty all bags, turn out all pockets, open boxes, pencil cases, phones, iPad etc.
- Take off jackets or other outer garments, unless such actions may be deemed insulting to religion, race or gender or affecting a disability or modesty.
- Take off shoes, trainers, boots, etc.

The Safeguarding Lead will not touch a learner him / her.

### Step 6:

If the learner has been found with an item that may be deemed suspicious, then the Safeguarding Lead is to take such item off the learner and suspend the learner until a Stage 3 hearing takes place, in accordance to the Learner Code of Conduct. If the learner refuses to hand over the suspicious item, refer to the above 'Refusal to participate' section.

### Step 7:

If the learner or any member of the group is not in possession of anything that may be deemed suspicious, then no learner will be suspended. However, if one member of the group is found in possession of something suspicious then the entire group is to be suspended.

## Appendix D: Appeal Form – for stage 1, 2 or 3 Appeal Form

This form is available on request and will be posted or emailed to the learner/representative on receipt of the request. All requests for appeals will be accepted within 5 days of when the warning was issued.

For Stage 3, the Appeal Hearing may not take place if the Director of Apprenticeships and Skills is satisfied that all relevant procedures have been followed.

Learner Name: Training Programme:

Employer: Date:

Stage of warning you wish to appeal against:

Reason or the details of behavior offence in which you wish to appeal:

Date of Code of Conduct hearing:

| Date | Time | Location |
|------|------|----------|
|------|------|----------|

Appeal

Learner comment – Please give details as to why you should be granted an appeal following the warning issued.

Please continue on a separate sheet if required

Signatures:

Learner Date

Appeal received by Date

## Appendix E: Exclusion policy, procedure and guidance

The Exclusion Policy is considered when all possible actions identified through the Code of Conduct Policy have been exhausted. It can also be used if the serious nature of the behavior(s) being addressed requires investigation without possible interference or are likely to impact upon the safety of the individual or others in the center.

Members of the Senior Management (SMT) are the only personnel permitted to permanently exclude a learner.

They are required to follow the procedures set out in the Code of Conduct Policy, which are designed to ensure fairness and openness and minimise the need for an appeal against the decision.

All Code of Conduct cases including exclusions are treated in the strictest confidence. Only those who need to know the details of exclusion are informed of them.

Types of exclusion:

Learners can be excluded from Make UK in two ways:

- 1: Suspension
- 2: Permanent exclusion

### 1: Suspension

Suspension can only be decided by a member of the SMT. Suspension is not intended to correct learner behavior.

This process will only be used when:

- Health and safety are compromised where a learner's presence is believed to be a risk to themselves or others
- To allow an investigation to take place following a serious incident where the learner's presence may affect the procedure, such as drug related investigation or a fight on MAKE UK premises
- The learner has put themselves beyond the control of Make UK by breaking the Code of Conduct and rules for their safety and/or the safety of others e.g. A Pre18 age learner leaving Make UK without permission.

A learner aged under 18 can only be suspended from Make UK if a parent / guardian collects them or is present at a panel hearing those results in the learner being suspended.

Re-admittance following a suspension can only be granted following a Code of Conduct hearing, referring to procedures outlined in the Stage 3 Code of Conduct or Appeal hearing.

### 2: Permanent exclusion

Where a Stage 3 Code of Conduct hearing is likely to lead to a permanent exclusion, the Director of Apprenticeships and Skills would ensure that all reasonable strategies to address behavior have been considered and applied. This will include interventions from:

- The Safeguarding Lead
- Head of Education and other support teams depending on the learners needs

Interviewing a learner for a serious Code of Conduct incident

Before the Code of Conduct hearing the learner concerned will be encouraged to:

- write, sign and date a statement of what happened in their own words
- agree to an interview to present their side of what happened in an incident

The learner's support may act as scribe to record the learner's statement if the learner has weak literacy skills or is refusing to co-operate.

### 3: Witness statements

The content of witness statements and their sources will be shared with the learner as they are entitled to know the source and nature of the evidence. However, if Make UK has a concern for the health and safety or the emotions of a witness, the Director of Apprenticeships and Skills may allow the statement to remain anonymous, even if the circumstances lead to a permanent exclusion of the learner.

### 4: Proof

The Code of Conduct hearing will draw upon evidence of a learner's past behavior; the risk of a repeat of unacceptable behavior and the likelihood of responding positively to the guidance, actions and sanctions available. There is no requirement for the Director of Apprenticeships and Skills to have hard evidence proof, but sufficient serious suspicion should suffice.


### 5: The decision to exclude

In all cases where a learner is permanently excluded, information and guidance will be provided of possible alternative places of study. Learners aged 16 to 19 will be referred to the local careers service.

### 6: Parent's Responsibilities

If a parent refuses to collect an excluded learner from Make UK, guidance suggests that the training center's duty of care remains, as Make UK must have responsibility for the learner's safety.

- For pre 18 learners, Make UK will ensure they have safe and adequate means to travel to their home. However, if a Pre 18 learner attends Make UK against advice with the intention of disrupting the centers normal working practices or threatening others, the Director of Apprenticeships and Skills may decide to seek police help to remove the learner from the center.
- Make UK ensure they have arrived safely home and have adequate supervision at home.

| Policy Author                         | Policy Signature  | Last Review Date | Policy Date    | Policy Review Date |
|---------------------------------------|---|------------------|----------------|--------------------|
| Jayne Griffiths<br>Compliance Manager |  | August 2024      | September 2025 | August 2026        |