



Institúid Bhreisoideachais  
na Carraige Duibhe

Blackrock Further  
Education Institute

# Code of Conduct

**September 2020**

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## **1. ETHOS**

Blackrock Further Education Institute (BFEI), as a constituent of Dublin and Dún Laoghaire Education and Training Board (DDLETB), encourages each learner to take personal responsibility for their own learning, application to studies and educational achievements. The college aims to promote self-respect and a positive self-image in learners and is committed to providing an environment where all individuals are treated with respect and dignity irrespective of race, gender, disability, religion, age, sexual orientation, marital status, family status or membership of the traveller community.

This policy is designed to cater for the common good and to facilitate a positive learning and teaching environment for all. Admission to the college implies acceptance of its Code of Conduct and to all DDLETB and BFEI policies and procedures.

## **2. GUIDELINES**

Blackrock Further Education Institute, as a constituent of DDLETB, is committed to:

2.1 informing learners of the Code of Conduct

2.2 operating and implementing procedures in a fair and consistent manner

2.3 supporting learners who are experiencing difficulties or unforeseen circumstances

2.4 applying appropriate sanctions for unsatisfactory conduct

2.5 notifying the learner of the sanction/s applied. Parents/guardians will be notified of sanctions applied for learners under 18 years of age.

This policy offers guidelines as to the norms of behaviour expected of learners and includes, but is not limited to, learners conduct in class and during online delivery, on college premises, on out of college activities and any other course related activities.

BFEI reserves the right to protect the health and safety of all staff and learners at all times. If in their professional judgement, management considers that there is a risk to the health and safety of any member of the college community, they have the right to remove learner/s from the class/activity/College and its environs until such time as the incident is investigated and a final decision is made.

Learners are expected to take reasonable care to protect the safety of themselves and others who might be affected by their acts and omissions.

To facilitate effective teaching and learning for all staff and learners in a productive and safe learning environment, learners are expected to:

- Take an active and positive role in the learning process
- Treat others with respect and consideration and not engage or incite others to engage in any behaviour which constitutes bullying, harassment or discrimination through language, comments or actions towards others
- Uphold the good name of the college
- Comply with all health and safety policies and procedures
- Refrain from using mobile phones or other electronic devices during class unless permitted by the teacher
- Inform their teacher if they need to leave the learning environment
- Respect the property of the college including that of learners and staff members.
- Request permission to display posters and notices in designated areas of the College.
- Refrain from recording or taking photographs/video of staff or learners without obtaining prior consent
- Conform to acceptable standards of personal presentation and hygiene.

The following types of behaviours are deemed to be in breach of the Code of Conduct. This list is not exhaustive:

- Sale or consumption of alcohol on the college premises
- Sale or abuse of any illegal substance on college premises
- Smoking within the college building/s (prohibited under the Public Health (Tobacco) (Amendment) Acts 2004-2013) and vaping.
- Verbal or written abuse or other forms of abuse including humiliation, intimidation and victimisation
- Disruptive behaviour
- Physical violence or threats of physical violence
- Bullying of any nature including cyber bullying
- Posting on social media material about other learners or staff that is threatening, harassing, illegal, offensive, defamatory, indecent, or inappropriate in nature
- Accessing or displaying pornographic or offensive materials
- Damaging or stealing another's personal possessions, college equipment or property
- Interfering with college safety systems, network/ICT systems etc
- Littering on the college premises
- Failing to follow the instruction of a staff member during an evacuation
- Failing to vacate or failing to go to any area when reasonably requested to do by a staff member
- Engaging in behaviour which could be perceived as dangerous

### **3. DISCIPLINARY PROCEDURES**

In the event of an alleged breach of this Code of Conduct, BFEI may take corrective action to ensure that the learning environment is safe and conducive to learning:

- 3.1 Minor breaches will be addressed with the learner and recorded by the relevant staff member in accordance with the recording procedures of BFEI.
- 3.2 Persistent minor breaches of this Code of Conduct will be deemed to be a major breach.
- 3.3 Major breaches will be recorded and reported by the relevant staff member and will be referred to the Deputy Principal. In the absence of the Deputy Principal the breach will be reported to the designated staff member in charge. In exceptional circumstances the breach will be reported to the Principal. The learner may be suspended with immediate effect while the incident is being investigated and pending a final decision.

#### **Major Breach of Code of Conduct**

The Deputy Principal shall investigate and adjudicate on alleged major breaches of the Code of Conduct within 12 College days. The Principal may be involved depending on the nature of the breach of the code of conduct. The College reserves the right to contact the Gardaí in relation to major breaches. This timeline may be extended in the event of the involvement of the Gardaí.

The investigation will be conducted in accordance with the principles of natural justice and fair procedures within 7 College days. The Deputy Principal may speak with relevant staff members, learners and/or witnesses as part of this investigation.

The learner will be advised in advance of the following:

- Date, time and location of the meeting to discuss the alleged conduct under investigation
- The right to speak in his or her own defence
- The right to call witnesses (details of which must be forwarded to the Deputy Principal at least 24 hours prior to the scheduled meeting)
- The right to be accompanied to the meeting (details of which must be forwarded to the Deputy Principal at least 24 hours prior to the scheduled meeting).

Refusal or failure to co-operate by any party with the investigation will not prevent the investigation proceeding and reaching a decision.

The Deputy Principal will reach a decision that may include the imposition of sanctions within 5 College days of the conclusion of the investigation. Breaches will be recorded on the learner file and be stored in compliance with GDPR requirements.

#### **4. SANCTIONS**

**When a breach of the Code has been established after due process any one or more of the following sanctions may be imposed:**

- A verbal warning
- A written warning
- Temporary exclusion from class (1 to 5 classes as appropriate)
- Temporary exclusion from the college or other college activities (1 to 5 days as appropriate)
- Permanent exclusion from the college

In the event that an in-class assessment is scheduled to take place during the temporary exclusion period, learners will not be denied the opportunity to present for the assessment either during the exclusion period or as soon as possible afterwards, as appropriate.

Failure to comply with a temporary exclusion sanction will be considered a major breach of this Code and may result in permanent exclusion from the college.

#### **5. RIGHT TO APPEAL**

Blackrock Further Education Institute, as a constituent college of DDLETB, recognises the right of learners to appeal sanctions and commits to address every appeal in a timely, fair and consistent manner.

##### **Grounds to Appeal**

The decision of the investigating team may be appealed by the learner if:

5.1 The learner believes that they were not provided with a fair hearing

5.2 There is new evidence that was unavailable at the earlier hearing that could have affected the outcome

5.3 The learner believes that the penalty imposed is disproportionate to the act of misconduct.

### **Procedures to Appeal**

5.1.1 The decision of the investigation may be appealed in writing stating the grounds of the appeal to the Principal or in exceptional circumstances to DDLETB within 5 college days from the date of the issue of the decision.

5.1.2 A decision to permanently exclude a learner may be appealed to DDLETB.

All data collected and recorded in relation to the implementation of the Code of Conduct will be stored in accordance with GDPR requirements.