



BRLTC CODE OF CONDUCT 2026

(THE BEDFORDVIEW REMEDIAL, LEARNING AND THERAPY CENTRE)

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1. TITLE OF THE POLICY: CODE OF CONDUCT FOR LEARNERS

2. EFFECTIVE DATE: 1 JANUARY 2026

3. DATE OF NEXT REVIEW: 1 JANUARY 2027

4. REVISION HISTORY

As amended on: (Specify dates)
6th August 2025
23 May 2024

5. PREAMBLE

In terms of the Basic Education Laws Amendment Act, 2024 (Act No. 32 of 2024) (BELA Act) hereafter referred to as BELA, it is the duty and responsibility of the School Management Team to develop and adopt a Code of Conduct for learners. Such policy must be in line with the provision of the Provincial Gazette, relevant National Education Legislation as well as the Constitution of the Country. In a case where the Code of Conduct is in contrast with any provincial or national legislation then such legislation shall take precedence.

6. PURPOSE OF THE POLICY

The purpose of the policy is to set out the parameters within which learners should behave in order to protect and promote the integrity and security of each learner and all members of the school community.

6.1. Objectives

- a) To ensure that no learner is unlawfully and unfairly treated;
- b) To foster mutual respect and establish a culture of tolerance and peace amongst learners and educators in the school.
- c) To ensure that the administrative procedures are clearly defined;

7. DEFINITIONS AND ACRONYMS

7.1. Definitions

No	Term	Definition
1	District Director	Is the officer of the department responsible for the administration of education in a particular educational district.
2	Educator	Means any person, excluding a person who is appointed to exclusively perform extracurricular duties, who teaches, educates or trains other

No	Term	Definition
		persons or who provides professional educational services, including professional therapy and education psychological services at school.
3	Expulsion	Means the permanent removal of a learner from a school.
4	Grade	Means that part of an educational programme which a learner may complete in one school year, or any other education programme which the Member of the Executive Council may deem to be equivalent thereto.
5	Head of Department	Refers to the head of a provincial department of education.
6	Learner	Means any person receiving education or obliged to receive education in terms of relevant legislation.
7	Parent	means – a) the parent or guardian of a learner; b) the person legally entitled to custody of a learner; or c) the person who undertakes to fulfil the obligations of a person referred to in paragraph (a) and (b) towards the learner’s education at school.
8	Principal	Refers to an educator appointed or acting as the head of a school.
9	School	Refers to BRLTC
10	School Management Team	Is the body responsible for Governance issues at the BRLTC

No	Term	Definition
11	Suspension	Means the temporary refusal of admission to a learner to a school, usually suspension precedes expulsion.

7.2. Acronyms

No No.	Acronyms	Explanation
1.	DC	Disciplinary Committee
2.	MEC	Member of Executive Council of a province who is responsible for education in the province.
3.	RCL	Representative Council for Learners
4.	BELA	The Basic Education Laws Amendment Act, 2024 (Act No. 32 of 2024) (BELA Act)
5.	BOD	Board of Directors
6.	SMT	School Management Team

8. APPLICATION AND SCOPE OF THE CONSTITUTION

The policy shall apply to all learners registered in the school.

9. LEGISLATIVE FRAMEWORK

- 9.1 Constitution of the Republic of South Africa, 1996 (Act No. 108 of 1996), as amended.
- 9.2 The Basic Education Laws Amendment Act, 2024 (Act No. 32 of 2024) (BELA Act) hereafter referred to as BELA.
- 9.3 National Education Policy Act, 1996 (Act No. 27 of 1996), as amended.
- 9.4 Promotion of Access to Information Act, 2000 (Act No. 2 of 2000).
- 9.5 Promotion of Administrative Justice Act, 2000 (Act No. 3 of 2000).
- 9.6 The Gauteng Schools Education Act, 1995 (Act No.6 of 1995).

- 9.7 Regulations for Misconduct of Learners at Public Schools and Disciplinary Proceedings, 2001 (General Notice 2591 of 2001).
- 9.8 Regulations for Safety Measures at Public Schools Government Notice No. 1040, October 2001, as amended.

10. RELEVANT POLICIES AND PROVINCIAL CIRCULARS

Circular 74/2007

11. POLICY STATEMENTS

11.1 The Principle and Values: The Rights of the Learners

- a) At the BRLTC all learners shall have the democratic right to due process, participation in decision - making on matters affecting them and a method of appeal. The school prides itself on its record of allowing learners to express and resolve school-related grievances together with the SMT.
- b) Any form of discipline embarked upon by the school is underpinned by dignity and respect.
- c) Corporal punishment is prohibited at the BRLTC.
- d) The school will endeavour to provide learners with a clean, safe, healthy environment with access to clean running water and toilets and an environment that protects them from harassment and intimidation from attending classes and writing tests and examinations thereby creating an atmosphere conducive for teaching and learning.
- e) Learners have the right to expect educators to maintain high standard of professional ethics.

11.2 The Legal Authority for the Control and Discipline of Learners

- a) The Basic Education Laws Amendment Act, 2024 (Act No. 32 of 2024) (BELA Act) hereafter referred to as BELA, empowers a School Management Team of a school to maintain discipline in a school. The Code of Conduct must prescribe behaviour that respects the rights of learners and educators.
- b) The school will make every effort to ensure that learners understand that action may be taken against them if they contravene the Code of Conduct. In cases where action has to be taken the school will inform the learners why:
 - (i) Their conduct is considered as misbehaviour or misconduct.
 - (ii) They are to be disciplined or punished.

- c) All learners at the school are subject to the Code of Conduct without exception. The learners will be informed about its contents on enrolment at the school.
- d) An educator at the school shall have the same rights as a parent to control and discipline the learner in accordance with the Code of Conduct during the time the learner is in attendance at the school or school related activities.
- e) The Principal or Deputy, upon reasonable suspicion, has the legal authority to conduct a search (with a same sex witness) of any learner or property in possession of a learner for a dangerous weapon, firearm, drugs, or harmful dangerous substance, stolen property or pornographic material brought onto the school property.

11.3 School Rules

11.3.1 School Wear and General Appearance

- a) Learners should be neatly dressed in their casual clothes daily, unless otherwise determined by the Principal.

11.3.2 Learner's hair

- i) Girls' hair must have a neat appearance. If long, the hair must be neatly tied with accessories.
- ii) Boy's hair must be neat.
- iii) Highlights and coloured hair are not allowed.

11.3.3 Jewellery

- i) All learners are allowed to wear a wristwatch; smart watches are strictly prohibited.
- ii) Stud earrings are permitted; no additional piercings are allowed.

11.3.4 Learner's nails

- i) Nails of both boys and girls must be short and well cared for.
- ii) Polished nails are allowed. The colour must be simple and not bright – nail shape must be appropriate (no stiletto tips or very long nails).

11.3.5 School Attendance

- i) All learners are expected to attend school regularly and punctually.
- ii) All learners are required to assemble in designated areas by 7h30 daily.
- iii) Should a learner be absent from school; his/her parent are required to notify the school in writing.
- iv) Learner truancy/absence from class/bunking will not be tolerated.

11.3.6 Classroom Rules

It is expected that each educator will, together with the learners, develop their own classroom rules. The following rules are applicable to all classes:

- i) Every educator is responsible for discipline at all times at the school and at school-related activities. Educators have full authority and responsibility to correct the behaviour of learners whenever such correction is necessary at the school. Serious misconduct must be referred to the Principal/Management of the school. It is not the educator's responsibility to ensure that work is caught up
- ii) Learners must commit themselves to doing their school work during classes, complete assigned homework, and catch up on work missed because of absence. It is not the educator's responsibility to ensure that work is caught up.
- iii) An educator's instruction must be followed at all times. Under no circumstances will the undermining/disregard of an educator be tolerated.
- iv) Classrooms may only be left with the permission of an educator.

11.3.7 Care of the School Property

- i) Every learner is expected to protect and use all school equipment and facilities with care.
- ii) Vandalism will not be tolerated.
- iii) Any learner who intentionally misuses, damages or defaces any school property should replace it or pay for the damage to property.

11.3.8 Drug, Alcohol and Weapon Free Zone

- i) Smoking, Vaping, alcohol, drug use is not permissible at the school.
- ii) Possession of cigarettes, cigarette lighters, electronic cigarettes, matches, drugs, alcoholic drinks, pornographic material, firearms, knives and other dangerous weapons is prohibited at the school.
- iii) Should a learner be taking scheduled medication, prescribed by a medical doctor, a copy of the original script must be handed in at reception.

11.3.9 Violence, Bullying and Foul language

- i) No violence, bullying, intimidation or threatening of any kind is allowed at the school.
- ii) Learners are not allowed to swear or use foul language.

11.3.10 Property of Learners

- i) Learners are not allowed to bring computer games, media players, radios, cell phones, iPods, etc to school unless permission to do so has been obtained from the Principal. **BRLTC is a device free premises. Any devices required to be at school will need to have a Block-It-Out pouch, available from BRLTC reception at a cost of R500. (Cash Only)**
- ii) Learners are encouraged not to bring valuable items to school. In cases where such items must be brought to school, they should be handed in to the office for safekeeping.
- iii) Stealing/Theft is strictly prohibited at the school.

11.3.11 Early Departure from School

- i) No learner may leave the school premises without permission from the office during school hours.
- ii) The school prefers that appointments to, e.g. doctors, dentists, etc be made after school hours or over the holidays.
- iii) A learner who needs to leave during school hours must supply the office with a letter from the parent requesting permission for leave before 07:30 on the day.
- iv) A learner who falls sick during school hours must report to their class teacher, who will contact the parent.

11.3.12 General Behaviour

- i) Under no circumstances will learners be allowed to sell anything at the school, unless it relates to school fundraising or a project for which a teacher has sought the necessary permission.
- ii) Dishonesty, telling of lies, indecency or an act which in the opinion of the principal is condemnable will be acted upon by the Principal.
- iii) Disrespect towards the national symbols (national flag, anthem, etc.) of the Republic of South Africa as well as the school flag and anthem will not be tolerated.
- iv) Any ill-disciplined behaviour in the classroom, on the school premises, during school trips/excursions or any school function, including any action that brings the school into disrepute will not be tolerated.
- v) All litter must be thrown in the bins provided and not thrown around the class or school.

- vi) Learners must not disregard/undermine the authority of the Principal or staff of the school.
- vii) Disruption of classes or school by learners is unacceptable.
- viii) Learners are not allowed to enter areas restricted by the Principal/SMT.

11.4 Disciplinary Rules

In an effort to maintain discipline at the school and ensure that teaching and learning is not disrupted through behavioural problems, the SMT puts forward the disciplinary rules described below.

11.4.1 Ordinary Offences

- a. The following acts are considered as **Ordinary Offences:**
 - i) Late coming
 - ii) Failure to complete school work (class work and homework) given.
 - iii) Playing truant or bunking periods.
 - iv) Littering anywhere on the school premises.
 - v) Use of foul language.
 - vi) Inappropriate dress code.
 - vii) Minor disruptive behaviour
- b. Educators will resolve the above stated offences and keep records of the date of offence, type of offence, name of learner and how the matter was resolved. The educator may counsel the learner, use verbal warnings or written reprimand to resolve the problem.
- c. After three ordinary offences have been recorded against a learner, the matter must be referred to the Principal, who together with the educator, shall implement one of the following measures:
 - i) Give the learner supervised school work, ensuring that parents are informed timeously.
 - ii) Suspend the learner from some school activities e.g. outings.
- d. Should the learner continue to commit ordinary offences, a warning letter will be sent to the parent, if the behaviour persists the parent will be called to school to discuss the matter and the likelihood of serious action being taken by the school.

11.4.2 Schedule 1 - Misconduct

- a. A learner will be guilty of Schedule 1 misconduct if he/she:
 - i) seriously threatens, disrupts, or frustrates teaching or learning in a class;
 - ii) engages in a conspiracy to disrupt the proper functioning of the school through collective action;
 - iii) insults the dignity of or defames any learner or any other person, which includes racist remarks;
 - iv) distributes, or is in the possession of, any test or examination material that may enable another person to gain an unfair advantage in a test or examination;
 - v) cheats in a test, examination, or any other form of assessment, such as assignments;
 - vi) engages in any act of public indecency;
 - vii) sexually harasses another person;
 - viii) is found in possession of or distributes pornographic material;
 - ix) Smokes or is in possession of cigarettes, or an electronic cigarette.
 - x) Is under the influence or in possession of alcohol.

- b. After a Schedule 1-misconduct has been noted against a learner's name, the matter should be referred in writing to the Principal of the school. Following a thorough investigation and confirmation of the allegation a written warning, the Principal will send a written warning to the parent.

- c. A further offence in this category will be dealt with as per serious misconduct.

11.4.3 Schedule 2 – Serious Misconduct

- a. The following acts are considered as Serious Misconduct:
 - i) Rape;
 - ii) Indecent assault;
 - iii) Sexual harassment with aggravating circumstances;
 - iv) Assault with the intention to do grievous bodily harm;
 - v) Common assault of an educator;
 - vi) Serious intimidation of the other learner, teaching, and teaching staff;
 - vii) Malicious damage to the school property;
 - viii) Theft with aggravating circumstances;
 - ix) Robbery;
 - x) Possession of dangerous weapons on the school premises;

- xi) The possession, sale, or abuse of illegal substances;
- xii) The possession of obscene material, including; material depicting sexual images in all its forms;
- xiii) Being on the school premises or at a school function outside the school premises while under the influence of intoxicating liquor or illegal substances;
- xiv) The theft of examination papers or the possession or sale of such stolen examination papers; and
- xv) Repeated Ordinary Offences and Schedule 1 Misconduct

b. After a serious misconduct has been noted against a learner's name, the matter should be referred in writing to the Principal of the school. Following a thorough investigation and confirmation of the allegation the matter must be referred to the Disciplinary Committee.

11.5 Responsibilities of Learners

- 11.5.1 On acceptance of the Code of Conduct by parents, learners must implement the Code of Conduct.
- 11.5.2 The learners should promote the code of conduct for learners, but do not have the authority to punish other learners.

11.6 Responsibilities of Parents Regarding the Code of Conduct

- a) The ultimate responsibility for learner behaviour rests with the parent who is expected to support the school and ensure that learners observe the school rules and regulations and accept responsibility for their misbehaviour.
- b) Parents/Guardians should attend meetings and information sessions convened by the SMT, for them.

11.7 Due Disciplinary Hearing Process

1. Independent school

a. Investigation of possible serious misconduct

- Where it is alleged that the conduct of a learner may constitute serious misconduct or very serious misconduct, the matter must be brought to the attention of the Executive Head who must -

- (a) Investigate or cause an investigation to be carried out to determine whether there are grounds for a disciplinary hearing; and
- (b) Decide whether there is sufficient evidence to institute disciplinary action.

If it is decided that a disciplinary hearing will be held, the Executive Head may, on reasonable grounds, and as a precautionary measure, suspend the learner suspected of serious misconduct or very serious misconduct from attending school pending a formal hearing and subject to certain conditions that may be imposed. The learner must be informed of the nature of academic support to be provided by the school during the period of suspension.

- The Executive Head must:
 - (a) Inform the learner and the parents/guardians of the learner of the decision to suspend; and
 - (b) Inform the learner and the parents/guardians of the learner of the date of the disciplinary hearing to be held.

b. Notice to learner and parent of disciplinary hearing

- The Executive Head must notify the learner as well as the parents/guardians of the learner, in writing, that disciplinary proceedings will be instituted against the learner. The notice must be given to the learner, and a copy thereof to the parents/guardians of the learner via email and/or by hand.
- The notice must -
 - (a) Provide at least three school days' notice of the disciplinary hearing;
 - (b) Inform the learner and the parents/guardians of the learner that disciplinary proceedings will be instituted against the learner;
 - (c) Contain sufficient particulars of the date, time, place, and the nature of the alleged serious misconduct or very serious misconduct to enable the learner to identify the incident and to respond thereto at the disciplinary hearing;
 - (d) Contain the date, time, and venue of the disciplinary hearing;
 - (e) Advise the learner of his or her right to: be accompanied at the hearing by his/her parents/guardians; request access to documents or information to be produced in evidence; and ask questions, cross-examine, lead evidence, call witnesses, and produce documentary evidence to clarify issues pertaining to the allegation/s.
- There is no time limit on how long after an offence was committed, the school may implement a hearing, but in general, the hearing should be conducted within a reasonable period from when the school became aware of the offence.

c. Use of intermediaries during the disciplinary hearing

- The chairman of the hearing may appoint an intermediary or take such other measures/procedures that he/she deems suitable, if the chairman is of the opinion

that the disciplinary proceedings would expose a witness under the age of 18 years to undue mental stress or suffering if he or she testifies at such proceedings

- Parents of a witness may request the use of an intermediary. The chairman may use his discretion to appoint an intermediary or not.
- The witness will present his/her evidence through the intermediary/the other procedure chosen.
- If an intermediary is appointed, an examination, cross-examination, or re-examination of the witness must not take place in any manner other than through that intermediary
- The intermediary may convey the general purport of any question to the relevant witness.
- The chairman must arrange a place where the relevant witness must give his or her evidence
- The place must be informally arranged to put the witness at ease, and any person whose presence may upset that witness must not be in sight or hearing of the witness.
- The chairman and any person whose presence is necessary at the hearing will hear the witness and intermediary through the medium of any electronic or other devices.

d. Conducting the disciplinary hearing

The following procedural guidelines must be adhered to during a hearing:

- The hearing must be conducted by a chairman (hereinafter referred to as the chairman) who may be the Executive Head and/or the Regional Head and/or an independent person with sufficient knowledge and experience.
- The chairman may appoint two other persons to assist him/her in the hearing
- The chairman must decide on a balance of probabilities if the learner is guilty or not guilty of the alleged misconduct/transgression.
- The chairman of the hearing may take an inquisitorial role during the proceedings to ensure that the disciplinary procedure is properly recorded. This may include audio/video recording or the use of a scribe.
- A member of staff/another person may be appointed to take detailed minutes during the hearing, or the proceedings may be recorded, but confidentiality will be maintained.
- A disciplinary hearing is an internal matter, and as a result, no legal representation will be permitted; however, the learner is entitled to be represented by a parent/guardian of his/her choice.
- At the hearing, the learner/representative had the right to give evidence to-
 - (a) State his/her case;
 - (b) Call witnesses;

- (c) Put questions to any person called as a witness in support of a charge; and
- (d) Inspect documents submitted in evidence
- If the learner or his/her parents/guardians fail/s to attend the disciplinary hearing without just cause, the disciplinary hearing may be postponed. A learner will be allowed one postponement of such nature, thereafter if the learner or his/her parents/guardians fail to attend the disciplinary hearing without just cause, the disciplinary hearing will proceed in their absence.
- The chairperson must upon the commencement of the disciplinary hearing, explain the reasons for the disciplinary hearing, request the charge/charges to be read, and ask the learner to plead to the charge.
- If the learner pleads guilty, the learner/parents must explain the reasons why they are pleading guilty.
- The chairperson must ensure that the learner knows and understands what he or she is pleading guilty to, and the chairperson must then decide if the learner is guilty or not guilty.
- If the chairperson finds the learner guilty he/she must-
 - (a) Ask the learner, or parents/guardians of the learner, whether anybody wishes to make representations before a suitable sanction is imposed;
 - (b) The learner may submit mitigating circumstances and call witnesses;
 - (c) Any aggravating circumstances and the learner's disciplinary school record may be pulled before the chairman;
 - (d) The chairman may request that all parties leave the hearing venue while the chairman decides on a suitable sanction. The chairman must then recall the parties and inform them of the chosen sanction.
- If the chairperson finds the learner not guilty, he/she must then follow the procedures set out below for a plea of not guilty, the chairperson must-
 - (a) Request an investigation report to be read and/or evidence adduced in support of the charge, including the calling of the complainant and witnesses, and/or inspecting any documentation;
 - (b) Give the learner or parents/guardian of the learner the opportunity to put questions to the complainant and witnesses with the purpose of inter alia contesting evidence that was led;
 - (c) Give the learner or parents/guardians of the learner the opportunity to state reasons why he/she is not guilty of the alleged misconduct;
 - (d) Thereafter, afford the learner an opportunity to call witnesses;
 - (e) Allow the chairman to ask questions to obtain clarity;
 - (f) The chairman may request that all parties leave the hearing venue while the chairman decides whether the learner is guilty or not guilty;
- If the chairman finds the learner not guilty he/she must then recall the parties and inform them of the finding of not guilty.
- If the chairman finds the learner guilty he/she must –

- (a) Ask the learner, or parents/guardians, whether anybody wishes to make representations before a suitable sanction is imposed;
 - (b) The learner may submit mitigating circumstances and call witnesses;
 - (c) Any aggravating circumstances and learners disciplinary school record may be put before the chairman;
 - (d) The chairman may request that all parties leave the hearing venue while the chairman decides on a suitable sanction. The chairman must then recall the parties and inform them of the chosen sanction.
- The chairman may, if he/she deems it necessary, be given two days to decide on an appropriate sanction. The chairman must then inform the parents/guardians of the learner and the learner in writing of the imposed sanction.

e. Collective Disciplinary Action

The above-described disciplinary procedure is principally designed to deal with instances of misconduct by the individual learners. Alleged misconduct by a group of learners, usually acting in concert with one another, or where the offences are of a similar nature or objective, is considered as being collective misconduct. Generally, collective misconduct is more effectively dealt with on a collective basis. The following procedures must be followed:

- An investigation into the alleged misconduct is conducted with all of the learners concerned.
- A single disciplinary hearing can then be conducted with the learners concerned, with their parent's/guardian's present.
- The same procedures as provided for individual cases are followed in a collective situation. In a collective disciplinary hearing, however, individual Learners must still be provided [during or immediately after the hearing process] with the opportunity of demonstrating that their own circumstances may be different to that part of other learners or the group involved, and of showing why they should be treated differently.
- In certain cases, however, it might be considered appropriate by the school to conduct separate investigations or hearings with individual learners. The school reserves its right to exercise its option to conduct individual or collective procedures. Any differences in verdict or penalties imposed, between different learners involved in the same incident/offence, will be justified if the school is called upon to do so.

f. Appeal

- The learners and/or the learner's parents/guardians have the right to appeal against any finding of guilty of a disciplinary hearing and/or sanction imposed by the school. The appeal must be given to the Executive Head who must then give the appeal to the Regional

Head responsible for the school. The Regional Head will decide on the outcome of the appeal. The appeal process applies to both individuals and to collective disciplinary matters. The school reserves the right to initiate separate or collective appeal processes to deal with any of the appeals that are lodged.

- Typical grounds for such an appeal may include inter alia:
 - (a) The disciplinary procedure was not followed properly; and/or
 - (b) The decision on guilt was not considered correct or fair; and/or
 - (c) The sanction imposed was not considered inappropriate; and/or
 - (d) Mitigating factors were not properly considered; and/or
 - (e) The Chairperson was considered to be biased, did not apply his/her mind, or supposedly made a subjective decision; and/or
 - (f) The learner was not in a position to properly present his/her case; and/or
- The learner and/or the learner's parents/guardians wishing to appeal must motivate his/her appeal in writing, and set out his/her grounds for appeal.
- The request appeal must be submitted to the school within 5 working days of a decision having been communicated to the parents/guardians.
- If the learner has been suspended, pending the completion of the hearing process, the submission of an appeal will not affect the suspension, which will remain in effect until the appeal process has also been concluded. In the case of any other formal disciplinary action being imposed, the implementation of such action will be delayed pending the appeal process.
- The learner's basic right to an appeal against disciplinary action does not ordinarily mean that all matters raised at the disciplinary hearing will be "re-heard". The appeal procedure is generally limited to only assessing the decision made on the merits of the matter, the finding of guilty, and/or the sanction, and is based on the grounds and motivations lodged in the appeal.
- An appeal will be decided by a Regional Head and his/her decision must be communicated to the learner and/or the learner's parents/guardians in writing within 3 working days of receiving the appeal.
- The conclusion of the School's appeal procedure is the final step in the school disciplinary process and marks the exhaustion of internal disciplinary measures.

PROMOTION OF CODE OF CONDUCT

- a) This policy will be displayed openly in the school.
- b) This policy will be made available to each learner in the official language of teaching and learning on registration.
- c) This policy shall clarify in positive terms what the expectations of the school are.
- d) The following actions shall be taken to clarify the expectation of the school to learners:
 - i) Each learner to be given a copy of the code of conduct at the beginning of each year, younger learners at primary to be informed verbally.
 - ii) Classroom rules and the consequences for breaking these rules must be displayed in the class.

12 SHORT TITLE

This policy shall be called:

Code of Conduct for Learners of BRLTC

13 APPROVAL:

Approved by: Principal		Signature:	
Date:			