

No.3.1.2: Disciplinary Policy and Procedure

Policy Context

This policy relates to:	
Registration Manager	Australian Skills Quality Authority (ASQA)
Conditions of Registration	VET Quality Framework (VQF)
Codes and Standards	ESOS National Code 2018 – Standard: 6.9.1; 6.9.3; 8.8.1; 8.9.1;
Legislation or other requirements	National Vocational Education and Training Regulator Act 2012

Purpose

This policy has been developed to ensure appropriate disciplinary actions and the process and responsibilities for implementation. While this policy highlights the consequences of misbehaviour and breach of code of conduct, the RTO will report to the relevant authorities of any criminal acts committed by its students.

Objective

The RTO will ensure that there is a process for monitoring student's conduct, identifying students who are displaying any form of misconduct as defined in this policy or are not complying with the RTO's Code of Conduct and their contractual obligations.

Scope

This policy will apply to all current, prospective and previous students, staff and other RTO stakeholders.

Procedures

	Description	Responsibility
1.	<p><u>Requirements / Process:</u></p> <ul style="list-style-type: none"> All students enrolled at RTO are, at all times, required to comply with RTOs Code of Conduct. Where behaviour is deemed to be improper or inappropriate as outlined below, RTO will act in accordance with the Student Disciplinary Policy described below. RTO offers support services to students who need assistance to achieve their education goals including academic support and re-sitting assessments. The very important requirement amongst these is to attend classes. <u>ALL</u> students are expected to attend class at the scheduled times. For International Students, unsatisfactory attendance may have negative implications for their Student Visa see <i>Monitoring Student Attendance Policy</i>. Where the student is failing to meet the course progress requirements, then the <i>Course Progress Policy</i> will be applied including the development and monitoring of an intervention plan. For international students, unsatisfactory course progress may have negative implications for their student visa. Any student who has been found to willingly or accidentally activate fire or security alarms which results in the calling out of emergency services such as the fire department, police, 	<p>PEO</p> <p>Compliance Manager</p> <p>Student Support officer</p> <p>Trainer and Assessors</p>

	<p>ambulance or any other emergency service will be liable for whatever costs are incurred by their actions. Furthermore, students may be prosecuted under State or Federal laws in relation to their actions.</p> <ul style="list-style-type: none"> • Improper or inappropriate behaviour may result in an investigation into the suspension of enrolment. • Serious misconduct is deemed to be behaviour that is illegal, wilful or premeditated. This behaviour can result in immediate suspension pending investigation and may lead to expulsion. For international students, misconduct may have serious negative implications for their student visa, as RTO may report them to the Department of Human Affairs (DOHA) authorities. • Misconduct of a criminal nature will be reported to the appropriate authority including the police for prosecution as appropriate. 	
2	<p><u>Student Disciplinary Procedure</u></p> <p>Where student behaviour breaches RTO Code of Conduct, disciplinary action will be taken and the following process will apply. The disciplinary process will be dealt with in a confidential manner.</p> <p>Investigation:</p>	<p>PEO</p> <p>Compliance Manager</p> <p>Student Support officer</p> <p>Trainer and Assessors</p>

	<ul style="list-style-type: none"> • The Student Services Officer(s) (SSO) will meet with the student to discuss the incident. This will provide the student with the opportunity to present their perspective of the incident, including any supporting evidence and to discuss the possible consequences. • If the incident is not serious misconduct, the SSO will discuss the actions and consequences and remind them about the importance of observing the Code of Conduct. The SSO will also offer support to the students as RTO's policy. • If the incident is serious misconduct, the SSO will refer the matter to the Compliance Manager who will meet with the student to discuss the actions and the consequences. • The Compliance Manager will meet with the SSOs to review the incident and establish whether or not the incident is serious misconduct and to determine actions to be taken including the consequences for the student. • All meetings are to be formally recorded on a Student Interview Form and recorded on the Student file. • Following the meeting, a formal letter must be sent to the student identifying the issue and actions. This letter is to include the right to access the <i>Complaints and Appeals Procedure</i> if the student feels they have been unfairly treated. All communications will be recorded in the student's file. 	
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	<ul style="list-style-type: none"> • A note will be placed on the Student Management System (SMS) to identify that a disciplinary interview has taken place and that the details are located in the student's file. • Any repeated or serious misconduct will be dealt with by the PEO or their delegate. 	
3	<p><u>Temporary Suspension</u></p> <p>The RTO may after due consideration suspend a student for misconduct. This will be for a maximum of four weeks.</p>	<p>PEO</p> <p>Compliance Manager</p> <p>Student Support officer</p> <p>Trainer and Assessors</p>
4	<p><u>Expulsion</u></p> <ul style="list-style-type: none"> • In the review of the behaviour, consideration will be given as to whether the student's behaviour constitutes cause for expulsion from RTO. • Factors that can be cited as reasons to expel are – <ul style="list-style-type: none"> ○ The safety of students or others ○ Failure to respond to repeated action plans to correct behaviour or study issues ○ Willful damage to others and property. 	<p>PEO</p> <p>Compliance Manager</p> <p>Student Support officer</p> <p>Trainer and Assessors</p>

	<ul style="list-style-type: none"> ○ Disruptive behaviour that will cause discomfort or disquiet to others. 	
5	<p><u>Reporting to DOHA</u></p> <p>Reporting of International Students to Department of Human Affairs (DOHA) authorities will be through PRISMS after the student has been informed of the opportunity to access the <i>Complaints and Appeals Process</i> and after any such complaint or appeals process is completed unless extenuating circumstances relating to the welfare of the student apply.</p>	<p>PEO</p> <p>Compliance Manager</p> <p>Student Support officer</p> <p>Trainer and Assessors</p>
6	<p><u>Reporting to TPS</u></p> <p>The RTO will report to the Director, Tuition Protection Scheme (TPS) if a student defaults from starting the course within 5 business days of the first day of the term's formal start date.</p>	<p>PEO</p> <p>Compliance Manager</p> <p>Student Support officer</p>
7	<p><u>Plagiarism, collusion and cheating procedure</u></p> <ul style="list-style-type: none"> • Students are expected to read, comprehend, respect and comply with the policies and procedures regarding plagiarism, collusion and cheating. Students should also seek assistance from teaching staff if not sure about the proper way of gathering and using data or references. 	<p>PEO</p> <p>Compliance Manager</p> <p>Student Support officer</p> <p>Trainer and Assessors</p>

	<ul style="list-style-type: none"> • RTO expects all teachers/trainers/assessors to be aware of the potential of plagiarism and cheating and apply appropriate risk management strategies. • Staff are to make sure that students understand the implications of either act and both the reputational and financial cost of undertaking in such practices. • Staff are required to take time, especially at the beginning of a qualification to ensure that students understand what plagiarism and cheating are and how it is regarded in Australia. Importantly staff should take time to explain to students how to reference correctly. • Students and staff will have notices about improper use of material in their respective handbooks, websites and on the Course or unit outlines of every course or unit. • Staff that develop course materials are expected to design assessments that do not lend themselves to plagiarism, copying or collusion. 	
8	<p><u>Detection of Plagiarism</u></p> <ul style="list-style-type: none"> • Staff is expected to actively plan to detect plagiarism. • If a staff member, when assessing a piece of work, suspects plagiarism they must subject the piece of work to a test or undertake sufficient research to 	<p>PEO</p> <p>Compliance Manager</p> <p>Student Support officer</p> <p>Trainer and Assessors</p>

	<p>satisfy themselves of the extent of the plagiarism (if any).</p> <ul style="list-style-type: none"> • Many tools exist on the Internet to help detect plagiarism. • Plagiarism can vary in scale from incorrect referencing to blatant copying of large chunks of information. • Staff will have to exercise judgment in how to deal with each incident • Comments may be made in terms of the assessment (minor infringement) and a reminder of how to reference correctly • A formal warning may be issued and the student requiring them to be re-assessed 	
9	<p><u>Detection of Cheating</u></p> <ul style="list-style-type: none"> • Staff will need to have evidence of cheating, for example, by observation in closed book test, by comparison of two students work or through use of an appropriate tool. • The offending student should immediately be made aware that the assessor knows and if it is a test situation, remove the student from that test. • If just one student is involved (e.g. obtaining answers without another student's knowledge) then that student will be marked as "Unsatisfactory" or "Not Yet Competent" and will lose their 	<p>PEO</p> <p>Compliance Manager</p> <p>Student Support officer</p> <p>Trainer and Assessors</p>

	<p>right to repeat the assessment under the <i>Assessment Policy</i>.</p> <ul style="list-style-type: none"> • If collusion is suspected, then ALL students will be declared as cheating and will be marked as failing their assessment 	
10	<p><u>Actions</u></p> <ul style="list-style-type: none"> • The assessor will inform the Compliance Manager . The appropriate form is to be filled out and signed by the student, and the trainer. • Compliance Manager reviews and investigates allegations. If allegations are found to be true, the students found to have cheated or plagiarised work will not be entitled to repeat the assessments – see below. • A meeting will be arranged within 10 working days to inform the student of the course of action taken and provide counselling where necessary. • The student will receive a formal letter confirming the decision and informing them of their right to appeal under the <i>Complaints and Appeals Policy</i>. 	<p>PEO</p> <p>Compliance Manager</p> <p>Student Support officer</p> <p>Trainer and Assessors</p>
11	<p><u>Assessment Failure</u></p> <ul style="list-style-type: none"> • Students found to have cheated or plagiarised work will lose their right under the <i>Assessment Policy</i> to take a repeat assessment/test. 	<p>PEO</p> <p>Compliance Manager</p> <p>Student Support officer</p>

	<ul style="list-style-type: none"> Student will be required to repeat the unit/module and pay the appropriate repeat fee. 	Trainer and Assessors
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Continuous Improvement

A summary of all Disciplinary related matters will be presented as a part of the Continuous Improvement Policy and Procedure at the Management Meeting for review. The purpose of this is to ensure that management becomes aware of:

- repeat issues
- common threads relating to the general management and or safety of the staff and students and the services being provided.
- (when viewed collectively) any general adverse trend that needs correcting.

Confidentiality and Privacy Statement

The RTO values and is committed to protecting the privacy of its staff and stakeholders. Stakeholders can get more information, by contacting us on our contact us email.

Publication

This policy once approved, will be available to all students and staff by accessing RTO Intranet or on request. This policy will also be available through RTO's website as well.

This policy and procedure will form part of the information distributed and communicated during staff orientation.

Other related policies and procedures

Related policies	Attendance Policy and Procedure Academic Management Policy and Procedure Teaching and Assessment Policy and Procedure Deferment, Suspension and Cancellation Policy and Procedure
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Forms or other organisational documents	
Documents related to this policy	<p>Student Interview Form</p> <p>Behaviour / Academic Warning Letter Template</p> <p>Notice of intention to report Template</p>

Review processes

Policy review frequency: Annually	Responsibility for review: Compliance Manager (CM)
Documentation and communication: Describe how the policy decisions will be documented and communicated	
<p>Version 5.0</p> <ul style="list-style-type: none"> • Major updates are made after an Internal audit • The Policy is reviewed for grammatical errors • The Policy is forwarded to all staff members via an email • The Policy is uploaded to the website 	