

Student Discipline Policy

Purpose

This policy is designed to provide guidelines for the management of student discipline at Skillinvest Limited (Skillinvest).

Scope

This policy applies to all clients of Skillinvest.

Responsible Parties

Skillinvest's Training Managers and General Manager, Metro, are responsible for the control and implementation of this policy.

Definitions

Clients are defined as including students, legal/host employers and workplace supervisors.

Skillinvest premises includes both Skillinvest premises and any premises that the student attends for training purposes, including work placement.

Skillinvest representative is defined as an employee or contractor of Skillinvest.

Policy

1. Academic and General Misconduct

Skillinvest will be vigilant in the management of student misconduct. For the purposes of this policy, a breach of conduct is defined as either academic or general misconduct.

- **Academic Misconduct** includes, but is not limited to:
 - Cheating
 - Plagiarism
 - Any other conduct by which a student seeks to gain for themselves, or any other person, any academic advantage or advancement to which they, or that other person, is not entitled.

Academic Misconduct is dealt with under the Plagiarism and Cheating Policy and Procedure. Please refer to this document for further information.

- **General Misconduct** includes, but is not limited to:
 - persistent disruptive behaviour
 - behaviour which is lewd or obscene
 - taking photographs or filming other participants or staff without their permission (including posting on Facebook and other social media without permission)

- use of mobile telephones and iPods during classroom or workshop activities
- behaviour that constitutes discrimination, victimisation or harassment
- attending Skillinvest's premises under the influence of alcohol and/or non-prescription drugs
- consuming alcohol or non-prescription drugs at Skillinvest's premises
- smoking on Skillinvest's premises outside designated smoking areas
- verbal abuse
- physical assault on a member of Skillinvest, fellow students or members of the public
- any behaviour that causes a person on or in the immediate vicinity of Skillinvest's premises to hold reasonable fears for their safety or physical or psychological wellbeing
- any behaviour that causes a person on or in the immediate vicinity of Skillinvest premises to feel intimidated, threatened or in fear of being attacked
- abuse and misuse of tools and equipment
- wilful or malicious damage or destruction of facilities, equipment, materials or property on Skillinvest premises, regardless whether it is Skillinvest property or private property
- theft of property on Skillinvest premises, regardless whether it is Skillinvest property or private property
- carrying, using or being in possession of a prescribed or regulated weapon or dangerous article (an exception applies to Longerenong College as outlined in the Student Handbook, in the circumstance where a College permit has been obtained)
- wilfully activating fire or security alarms
- engaging in behaviour, or failing to follow instructions, which results in themselves or other persons being put at risk of harm
- failing to follow the reasonable direction or instruction of Skillinvest staff or other person in supervision
- failing to follow road traffic laws when on, or leaving Skillinvest premises
- encouraging, persuading or inciting another person to engage in improper or inappropriate conduct
- failing to comply with Skillinvest's policies and procedures

Students witnessing breaches of conduct are encouraged to report these to a Skillinvest representative.

2. Student Discipline

Skillinvest will treat all breaches of conduct seriously. Skillinvest will conduct a fair and equitable investigation, which will give the student the right to be heard. The relevant Training Manager or Manager of Academic Programs will determine whether the allegation has been substantiated and apply an appropriate level of action or penalty.

3. Appeal

The student has the right to appeal the outcome of an academic or general misconduct decision.

Student Discipline Procedure

Purpose

This procedure describes the processes by which Skillinvest Limited (Skillinvest) manages student discipline.

Scope

This procedure applies to all clients of Skillinvest.

Responsible Parties

Skillinvest's Training Managers and General Manager, Metro, are responsible for the control and implementation of this procedure.

Definitions

Clients are defined as including students, legal/host employers and workplace supervisors.

Skillinvest premises includes both Skillinvest premises and any premises that the student attends for training purposes, including work placement.

Procedure

1. Academic and General Misconduct

Where an allegation of a breach of conduct has been raised, Skillinvest will investigate and decide upon the appropriate action or penalty through the following process.

2. Student Discipline

2.1. Investigation and determination of penalty

An allegation of a breach of conduct is to be notified as soon as possible by a staff member or student to the relevant Skillinvest Training Manager. The Training Manager will notify the student named in the allegation of the breach of conduct.

The Training Manager will conduct an investigation of the reported breach of conduct, which will include an opportunity for the student to be heard. The student shall have the right to be accompanied by a support person at any face-to-face interview, but the support person will not act as an advocate. Where the student is a minor, their parent or guardian noted on file will be advised of the allegation, and invited to attend an interview with the student.

On considering all the relevant information, the Training Manager will determine whether the allegation has been substantiated, and if so, the penalty to be imposed. The penalty may include:

- Official written warning
- In the case of academic misconduct the student may be required to:
 - Re-complete and resubmit the relevant assessment tasks

- Complete an alternate assessment
- Submit further evidence to support the assessment
- Restitution – requiring the student to pay an amount to cover the cost of repairing any damage cause by the student to property and/or facilities
- Suspension from training and/or from Skillinvest premises for such a period and on such terms and conditions as is thought fit
- Discontinuation of enrolment
- Such other penalty as the Training Manager thinks fit

In the case of plagiarism, please refer to the Skillinvest Plagiarism and Cheating Policy and Procedure.

2.2. Immediate removal from training

Notwithstanding anything in this procedure:

- If the student is disrupting a class, or is behaving in such a way as to pose a risk of injury to themselves or any other person, or a risk of damage to property, a Trainer/Teacher may immediately remove them from class for that day;
- Where the Training Manager believes that a student is behaving in such a way as to pose a risk of injury to themselves or any other person, or at risk of damaging property, the Training Manager may immediately suspend the student's enrolment. Where this occurs, the Training Manager must within five (5) working days of the suspension advise the student in writing of the suspension, including reasons for the decision. Investigation and, if applicable, determination of a penalty, will then take place in accordance with Part 1 of this Procedure. This determination must be made within twenty-one (21) days of the date of suspension.

2.3. Notification to relevant parties

The student will be notified in writing of the penalty imposed within five (5) working days of the decision being made, and, if they are a minor, a copy provided to their parent/guardian. A copy of the Student Complaints and Appeals Policy will also be forwarded to the Student (and parent/guardian, if applicable).

Where a student was referred by a Job Services Australia (JSA) provider or Disability Employment Service (DES) is suspended or discontinued from enrolment, a copy of the notice of suspension/discontinuation will be forwarded to the relevant provider.

Where the student is an apprentice/trainee and is suspended or discontinued from enrolment, a copy of the notice of suspension/discontinuation will be forwarded to the relevant Australian Apprenticeships Centre (AAC) and Employer.

Where the student's breach of conduct constitutes a criminal offence, the police or other relevant authority may be notified and a copy of all documentation and other records pertaining to the breach will be provided to them.

3. Appeal

Appeals of decisions made under this policy shall be in accordance with the Skillinvest Complaints and Appeals Policy and Procedure.