

# Student Misconduct Procedure

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## 1.0 INTRODUCTION

Carey Training seeks to create a positive and supportive learning environment and accepts its responsibility to inform students of acceptable standards of behaviour in the training environment.

This procedure provides a guideline to fairly manage inappropriate student behaviour, whilst maintaining the dignity and respect of all persons involved in these situations.

## 2.0 DEFINITIONS

- **Misconduct** - Any behaviour that is unacceptable or inappropriate, that may disrupt the learning of others and may prevent staff members from carrying out their duties.
- **Serious Misconduct** - Deliberate behaviour that causes serious and imminent risk to the health or safety of a person, or the reputation or profitability of the organisation.

## 3.0 EXAMPLES OF MISCONDUCT

Misconduct
General disruptions in class that interfere with another student's ability to learn. This includes but is not limited to: <ul style="list-style-type: none"><li>• Failure to comply with reasonable directions from staff.</li><li>• Swearing, shouting, inappropriate and offensive language.</li><li>• Inappropriate clothing that contains offensive language or images.</li><li>• Smoking in class, including tobacco, herbs, drugs, vaporiser, e-cigarettes, or other devices.</li><li>• Revealing personal information, photos or videos of another student or employee.</li><li>• Poor punctuality at commencement of class and/or returning from breaks.</li></ul>
Academic misconduct: <ul style="list-style-type: none"><li>• Cheating – Using another person's work and submitting it as your own.</li><li>• Collusion – Collaborating with another person and them submitting the work as your own.</li><li>• Plagiarism – Copying from published works, including the internet and presenting the work as your own.</li></ul>
Serious Misconduct
<ul style="list-style-type: none"><li>• Acts of physical violence directed to others.</li><li>• Abusive or aggressive behaviour that causes offense, fear or harm.</li><li>• A threat to harm another person or damage property, and which may be written (email, text, social media), verbal, visual, or gestured.</li><li>• Physical damage to property.</li><li>• Stealing company property or personal property of another student or employee.</li></ul>

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- Refusing to follow health, safety and emergency procedures. Blatant breach of safety rules that causes an accident to self or a fellow student or employee.
- Any form of discrimination, harassment, intimidation, bullying, or victimisation, based on gender, age, race, sexual preference, gender identification, or religious beliefs
- Sexual harassment - Any unwelcomed sexual conduct of any kind including physical, verbal or visual.
- Fraud - Falsification of documents such as training qualifications to gain academic credit.
- Attending a training session under the influence of alcohol or illegal drugs.
- Possessing of illegal drugs with the intention to sell on the premises.
- Possessing dangerous or banned substances e.g., gun and knives.
- Stalking - Unwanted, isolated events or repeated events that cause fear or apprehension.
- Engaging in any form of cyber bullying or cyber abuse.

## 4.0 DISCIPLINARY PROCESS OF MISCONDUCT

### Step 1 – Verbal Warning

When a student's conduct is unsatisfactory, the matter will be privately brought to the student's attention during a suitable break in the training session. If possible, avoid addressing the issue in front of other students. The purpose of the private discussion will be to identify the cause of any problem and to give them an opportunity to present their side of the story. It is expected that they will then take the appropriate corrective action. This discussion is to be recorded on PowerPro and third parties such as school contacts, parents and job actives are to receive communication regarding the unsatisfactory conduct.

### Step 2 – Written Warning

If there is little or no improvement after the verbal warning the next step will be to withdraw the student from the training session and raise the issue with the State Manager or Project and Quality Officer, to issue a written warning. The written warning is to be provided preferably in a face-to-face meeting by the designated person and should include:

- Clear identification of the misconduct and reason for the warning.
- Clear identification of the expected behaviour and responsibilities of the student.
- Inform the student that if their misconduct continues, they may be suspended from the training organisation.
- Acknowledgement signature from the student.

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The written warning will also be circulated to relevant external agencies, such as a Jobactive for jobseekers or VET Coordinator for school students. If required, they will be involved in the removal of the student from the training session and facilitate their own disciplinary processes.

A copy of the written warning will be given to the person and a copy will be saved in the student's file on Power-Pro.

The student will be given a fair opportunity to improve their misconduct. The student will be asked to attend the next available session to continue with their participation in the course.

### **Step 3 – Removal from Organisation**

If the student continues to repeat the misconduct and receives another written warning, or in the event of serious misconduct, the student will be asked to meet with the State Manager or delegate, and be suspended from the training organisation. All information regarding this disciplinary process will be documented in writing and saved in the student's file. Continued warnings or serious misconduct will result in termination.

## **5.0 DISCIPLINARY PROCESS OF SERIOUS MISCONDUCT**

### **Immediate Suspension**

Some matters are so serious that a single incident may result in immediate suspension of participation in the Training Course without warning. The incident is to be immediately reported to the State Manager and appropriate actions will be determined. The student involved in an act of serious misconduct will be asked to leave the premises and dependent on the incident, the course may be suspended for the day. Third parties such as school contacts, parents and job actives are to receive communication regarding the serious misconduct, as applicable.

The incident will be reported in MYOSH and an investigation into the alleged serious misconduct will take place. The report may include accounts from other persons, to fully appraise the situation. Before an outcome regarding the action is made, the student is entitled to provide an explanation of the alleged misconduct. The student will be advised in writing regarding the decision reached in relation to termination.

## **6.0 INVOLVEMENT OF POLICE**

Where an incident involves a possible breach of the Law, the matter will be referred to the Police.

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## 7.0 GRIEVANCES

If at any time a student has a grievance with this procedure, or actions taken, they may advise the General Manager or National Compliance Manager, in writing using the Complaints Form (CT-OPS-PRO-0005).

## 8.0 COUNSELLING

Carey Training as part of the Carey Group, is committed to maintaining a safe and healthy working environment. Carey Group has recognised the need to provide adequate support to employees and their immediate families experiencing personal or work-related problems through the provision of an Employment Assistance Program (EAP). If required, staff are encouraged to contact the EAP provider, BSS Corporate Psychological Services for professional counselling services.

If a student requires counselling, please refer them to an external support resource such as Beyond Blue, Headspace, or Lifeline.

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