

What you need to know – key take outs

ITeC Academy ensures that it supports learners to achieve successful outcomes in their chosen courses and/or qualifications and respects the rights of all learners to a positive learning environment with minimal distraction.

Disciplinary mechanisms are in place to address student behaviour that does not uphold the values of IRT Group and ITeC Academy and is contrary to the IRT Code of Conduct.

Always read this policy in conjunction with the related procedures identified below.

<p>Policy principles</p>	<p>To promote a positive learning environment at ITeC Academy for all students, assist all students with the satisfactory completion of all courses, and respect the rights of all learners to experience an uninterrupted learning setting.</p> <p>Disciplinary measures will be clear, predictable and appropriate for the situation.</p>
<p>Purpose</p>	<p>To promote a positive and rich learning environment at ITeC Academy for all students, assist all students with the satisfactory completion of all courses, and respect the rights of all learners to experience an uninterrupted and orderly learning setting.</p> <p>To provide appropriate mechanisms for managing behaviour expectations and interventions where required.</p>
<p>Risk statement</p>	<p>IRT and ITeC Academy have a low risk appetite for failing to meet our legislative obligations.</p>
<p>Scope</p>	<p>The scope of this policy covers all ITeC Academy students, employees, contractors and/or third parties acting on behalf of IRT Academy and potential ITeC Academy students.</p>
<p>Related procedure</p>	<p>See ITeC Academy Procedure Manual section;</p> <ul style="list-style-type: none"> - Student Behaviour and Discipline
<p>Related documents</p>	<ul style="list-style-type: none"> • 2.71 IRT Code of Conduct • 1.03.854 Access and Equity Policy • 1.03.853 Student Welfare and Support Policy • 1.03.810 Continuous Improvement Policy • 1.03.813 Record Retention and Reporting Policy • 1.03.829 Complaints and Appeals Policy

	<ul style="list-style-type: none"> • Student Handbook • Procedure Manual • Attendance Register/Form
Compliance requirements	<ul style="list-style-type: none"> • National Vocational Education and Training Regulator Act 2011 • Standards for RTOs 2015: <ul style="list-style-type: none"> ○ SRTO 5. Each learner is properly informed and protected. ○ SRTO 6. Complaints and appeals are recorded, acknowledged and dealt with fairly, efficiently and effectively.
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1 Regulatory Standards and relevant legislation

This policy has been written to align with the Standards for RTOs and other relevant legislation and regulations. The following table explains the link between this policy and the relevant external requirements.

Standard / legislation	What this means
National Vocational Education and Training Regulator Act 2011	<p>The National Vocational Education and Training Regulator Act 2011 is legislation that establishes the Australian Skills Quality Authority (ASQA) as the national regulator for the vocational education and training (VET) sector.</p> <p>ASQA is tasked with ensuring the quality and consistency of VET services across Australia.</p> <p>ASQA has powers to investigate complaints, conduct audits of providers, impose sanctions for non-compliance, and revoke registrations or accreditations where necessary to protect the integrity and quality of the VET sector.</p>
Standards for RTOs 2015	<p>SRTO 5. Each learner is properly informed and protected.</p> <p>SRTO 6. Complaints and appeals are recorded, acknowledged and dealt with fairly, efficiently and effectively.</p>

2 Attendance

ITeC Academy promotes and fosters as much as possible a positive learning environment free from unnecessary interruption while maximizing every student's right and ability to learn and achieve the learning outcomes of their course. It is important to note that the attendance records are legal documents and may be subpoenaed to a court upon request.

2.1 Attendance responsibilities

ITeC Academy attendance documentation should be handled as legal documents.

The Trainer/Assessor is provided with a class list for each class that they are responsible for, providing them with a guide as to which students are expected in the class.

The Trainer/Assessor is responsible for completing the class attendance list during each class and for forwarding the completed class list to for entry into the student management system.

3 Discipline

This Disciplinary Policy & Procedure is designed to guide employees in the management of student misbehaviour or misconduct. Employees should always try and use informal methods of discipline for unacceptable behaviour or misconduct, including mentoring, informal feedback, and counselling prior to enacting the Disciplinary Policy & Procedure which is perceived by employees and students as being a more formal method of managing student misbehaviour or misconduct.

Examples of incidents of misbehaviour or misconduct for which this policy & procedure may be implemented are:

- Disobeying or disregarding a lawful instruction;
- Jeopardizing the health, safety, and/or well-being of an employee, student, or visitor of ITeC Academy;
- Breaching the IRT Code of Conduct;
- Negligence or carelessness which results in injury to another person or damage to the facilities or equipment of the organization; and
- Illegal behaviour.

NOTE: Where a student has committed an offence which would ordinarily attract police intervention, the General Manager must be notified immediately and a report submitted, in writing, as soon as practicable after the offence. Any witnesses to the incident must also provide a report.

The General Manager must, in all circumstances of criminal misconduct or criminal misbehaviour, notify police immediately.

This policy and associated procedures do not apply to unsatisfactory academic performance.

4 Procedure

4.1 Initial Assessment

The General Manager (delegate) must determine what type of offence has been committed to require the enactment of the Student Behaviour and Disciplinary policy and procedures. Examples of offences that would give rise to this policy & procedure include, but are not limited to, the following:

- Serious or wilful breaches of the Code of Conduct or organizational policies and procedures;
- Repeat offences;
- Improper use of official or confidential information for personal gain;

- Unauthorized use of organizational property for private purposes;
- Violence;
- Use of abusive or insulting language or obscenities;
- Discrimination of any form;
- Sexual harassment;
- Conviction of an offence;
- Improper conduct towards other students, employees, or visitors; or
- Alleged criminal activity.

The General Manager or their delegate must complete a disciplinary report in the event that police or any other external body require a formal investigation, then that evidence will be available to them. Where the General Manager identifies that the disciplinary action recommended does not need to be extended to legal avenues, including notifying police, all actions and interventions must be recorded on the disciplinary report, marked "Confidential", and filed securely on the student file.

4.2 Investigation

Where the General Manager suspects that a student has committed a breach that would be dealt with under this policy & procedure, they must conduct a preliminary investigation to establish the facts regarding the incident.

The General Manager must advise the student of the outcome of the preliminary investigation, in writing, providing the student with an opportunity to respond.

Upon receipt of a response from the student, or in the absence of a response from the student, the General Manager may take no further action or initiate a formal investigation including, but not limited to, involving the police.

A member of the management team who has no connection with the student should undertake the internal investigation to ensure maximum impartiality and confidence in the natural justice process.

A full report on the internal investigation must be presented to the General Manager.

Where the student denies any involvement in the allegations of misbehaviour or misconduct, a further investigation should be conducted by the General Manager.

A student may seek advice or additional support from someone of their choosing during the investigation.

A student has access to the Complaints and Appeals Policy & Procedure where they have been subjected to discipline as part of this policy & procedure.

Confidentiality is to be maintained at all times.

4.3 Minor offences

Where the student is found guilty of a minor offence and is disciplined accordingly, the General Manager will provide an initial written warning that details the outcome of the investigation and disciplinary action taken.

Where the student is found guilty of a second minor offence and is disciplined accordingly, whether related to the original incident or not, the General Manager will provide a second written warning that details the outcome of the investigation and disciplinary action taken. The written warning will also indicate that, should the student commit a further offence, this will be seen to be a serious breach of discipline and their enrolment will be cancelled for serious misbehaviour or serious misconduct.

4.4 Serious offences

When an offence is deemed to be serious (although not illegal) and is disciplined accordingly, the General Manager will provide an initial written warning that details the outcome of the investigation and disciplinary action taken. The written warning will also indicate that, should the student commit a further offence, their enrolment will be cancelled for serious misbehaviour or serious misconduct.

Where the breach committed is of an illegal nature, Police will be informed immediately and the student's enrolment terminated.

Where the General Manager deems that the misbehaviour or misconduct was serious enough although not illegal, he/she may elect to terminate the student's enrolment.

Where a student's enrolment is terminated as a result of this policy & procedure, the student will have access to the normal complaints & appeals process.

5 Informing students

ITeC Academy will ensure that all students are informed of their rights and responsibilities in relation to the Student Behaviour and Disciplinary Policy & Procedure.

6 Records Management

All documentation from enrolment processes is maintained in accordance with the Record Retention and Reporting Policy.

7 Monitoring and Improvement

All enrolment practices are monitored by the General Manager of ITeC Academy and areas for improvement identified and acted upon (See Continuous Improvement Policy).

In practice example:

A student has been behaving in a disruptive manner over three consecutive classes and four students have raised the issue with their Trainer. The Trainer has also attempted to address the behavioural issues with the student directly. The Trainer brings the matter to the attention of the General Manager. The General Manager consults with the Trainer and RTO Manager and a disciplinary report is prepared. The matter is discussed with the student, Trainer and RTO Manager. It is agreed that this constitutes a first warning and should a second warning be required, his enrolment may be terminated. A warning letter is issued to the student outlining the outcomes of the matter and the meeting.

8 Roles and responsibilities

Role	Responsibility
Policy Owner – General Manager ITeC Academy	<ul style="list-style-type: none"> Overall responsibility for the development and implementation of policy.
Subject matter expert – Compliance Manager	<ul style="list-style-type: none"> Policy drafting. Provide advice regarding opportunities to improve the policy.
Implementation – all Academy employees	<ul style="list-style-type: none"> Implement the policy directly with students and prospective students.

9 Definitions

In this Policy, words have the following meaning:

Term	Definition
RTO	Registered Training Organisation
Minor offence	An offence whose likely consequences are not severe but, which nonetheless, is a transgression of the IRT Code of Conduct or of some other rule or regulation of ITeC Academy.
Serious offence	An offence whose likely consequences are severe and may include physical damage, emotional or physical harm or other serious outcomes.