



# Student Code of Conduct

**Policy number:** TS01

**Version:** V2.2

**Policy Owner:** General Manager Training Services

**Subject Expert:** Executive Director Construction, Hospitality & Commerce

**Next review date:** 02 August 2021

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## 1. PURPOSE

This policy establishes guidelines for the development and management of the Student Code of Conduct.

Each enrolled student has the right to participate in activities free from behaviour that may impair their learning, safety and well-being. Each enrolled student is also responsible for ensuring they do not adversely affect college property or the learning, work, safety and well-being of any other college individual.

The Student Code of Conduct is to be made available to all prospective and enrolled students.

## 2. SCOPE

This policy applies to all vocational education and training student enrolled at South Metropolitan TAFE (SM TAFE).

This policy refers to academic misbehaviour as well as general misbehaviour of students enrolled at SM TAFE.

Students who display at risk behaviours, when identified, are to be managed through the Students at Risk Policy and Procedures.

## 3. POLICY GOVERNANCE

- South Metropolitan TAFE by-laws
- P402 Student Code of Conduct
- Enrolment Terms and Conditions
- Academic Appeals Policy
- Standards for Registered Training Organisations (2015)

## 4. KEY DEFINITIONS

**Academic Misbehaviour:** includes (but is not limited to) behaviour such as a student's poor attendance record or non-attendance in class; cheating and plagiarism; no submission of assessment.

**Accredited course:** nationally recognised course that address skill requirements for industry, enterprises, and the community not covered in a nationally endorsed Training Package.

**Australian Qualifications Framework (AQF):** the national policy for regulated qualifications in Australian education and training. It incorporates the qualifications from



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each education and training sector into a single comprehensive national qualification framework.

**By-Laws:** the rules and regulations governing the actions of SM TAFE towards its stakeholders.

**DTWD:** Department of Training and Workforce Development

**General Misbehaviour:** includes (but is not limited to) behaviour such as bullying, harassment, discrimination, smoking on premises, rude and disruptive behaviour and language, and vandalism of college facilities, resources and property.

**Qualification:** a formal certification, issued by a relevant approved body, in recognition that a person has achieved learning outcomes or competencies relevant to identified individual, professional, industry or community needs.

**Students at Risk:** includes (but is not limited to) behaviour of students showing signs of psychological, emotional or physical distress and or inflicting harm and duress onto themselves or others.

**Student Management Agreement:** refers to an agreement between SM TAFE and an enrolled student or their parent/guardian (where applicable) implemented to address a breach of the Student Code of Conduct.

## 5. PRINCIPLES

All college staff must encourage and promote appropriate student behaviour and observance of the Student Code of Conduct.

Each enrolled student has the right to participate in activities free from behaviour that may impair their learning, safety and well-being. Each enrolled student is also responsible for ensuring they do not adversely affect college property or the learning, work, safety and well-being of any other college individual.

Students are expected to ensure their actions or inactions at all times as an identifiable student of SM TAFE do not harm, or bring into disrepute, the College's reputation or good standing.

### 5.1. Hostile students

Where an enrolled student is verbally or physically hostile, whether provoked or not, a college staff member may reasonably determine, for the safety and well-being of the enrolled student and/or other individuals, that the enrolled student be removed from a college classroom or campus. College staff may engage Campus Services to assist with such removal who may in turn engage security personnel and/or law enforcement agency staff to assist.

### 5.2. Breaches of the Student Code of Conduct

Where a college staff member suspects an enrolled student has committed a breach of the Student Code of Conduct, and raising the issue with the student has failed to address the breach (minor breaches only), the staff member must refer the matter to the Portfolio Manager of the learning area. The Portfolio Manager must undertake reasonable



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investigation into the suspected breach to determine if the breach has occurred. The Portfolio Manager should consult any party (applying privacy and confidentiality) as required as part of their investigation.

Where a breach has occurred, the breach must be dealt with in accordance with the college by-laws and the Student Conduct of Conduct Breach Management Procedure.

### **5.3. Minor breach**

A minor breach is any breach which is not a serious breach and that does not materially impact any individual or college property. Typical examples of a minor breach include:

- occurrences of minor littering;
- limited use of profane or cursing language;
- smoking (first offence) on college campuses; or
- riding bikes, skateboards or other such apparatus on campus.

### **5.4. Serious breach**

A serious breach of the Student Code of Conduct includes any of the following;

- a breach of a Student Management Agreement;
- systemic breaches of the Student Code of Conduct.

### **5.5. Severe breach**

A severe breach of the Student Code of Conduct Includes, but is not limited to, the following;

- harassment, discrimination, victimisation or bullying including cyber-bullying;
- property damage or theft.

### **5.6. Extreme breach**

Extreme misconduct and/or illegal activity includes, but is not limited to, the following;

- physical or serious verbal assault;
- threats to personal and public safety;
- misuse of college property or funds;
- the possession of any form of weaponry on SM TAFE's premises or while on excursions or undertaking work experience organised by the college.

### **5.7. Individuals to be consulted in addressing a breach**

The relevant individual(s) must also be consulted (applying privacy and confidentiality) in addressing a serious breach of the Student Code of Conduct:

- Head of Programs
- Portfolio Manager
- international students - Manager International Relations;
- Campus Manager

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TAFE International WA Provider No. 52395 – CRICOS Code 00020G

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- students less than 18 years of age - Coordinator Duty of Care for Minors / VET in Schools;
- apprentices – the apprenticeship management team; the apprentice’s employer; the AASN
- students with a disability and Aboriginal students – Manager Student Support Services; or
- VET in Schools students –applicable school contact person and Manager Education Pathways or Coordinator Duty of Care for Minors / VET in Schools.

Where a severe breach of the Student Code of Conduct has occurred the in addition to the above the Executive Director must also be consulted.

Where an extreme breach of the Student Code of Conduct has occurred in addition to the above the General Manager must also be consulted.

A student must be given the option of having the relevant individual(s) from the above mentioned list, a family member or associate present during discussion, to act as an advocate and/or observer, to support the student to address the breach of the Student Code of Conduct, except where the student is less than 18 years of age or a VET in schools student.

Where a student is less than 18 years of age or a VET in Schools student, the Coordinator Duty of Care for Minors / VET in Schools or Manager Education Pathways and the student’s parent(s) or guardian(s) must be present during discussion with the student to address the breach.

### **5.8. Penalties for a breach of the Student Code of Conduct**

All breaches of the Student Code of Conduct shall be addressed in accordance with the college by-laws and the Student Code of Conduct Breach Management Procedure.

A serious to extreme breach may be addressed by applying one or more of the following penalties:

- suspension of all or any of the privileges of the enrolled student;
- exclusion of the enrolled student from learning and assessment activities where practicable to do so;
- withholding examination results of the enrolled student;
- suspending the enrolled student for a period not exceeding 2 semesters, from any course or courses;
- expulsion of the enrolled student from the college; or
- refusing to re-enrol the individual as a college student.
- imposing a fine or penalty to the student as specified in the by-laws.

Where there are sufficient grounds for doing so, a Portfolio Manager shall request one or more of the abovementioned penalties be applied. This must be endorsed by the relevant Executive Director and the General Manager Training Services.



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Any decision to issue a penalty which is either the expulsion of an enrolled student or refusing to re-enrol an individual must be confirmed by the Governing Council prior to being imposed.

A notice confirming the penalty issued must be provided to the applicable student within 28 days of the penalty being imposed.

### **5.9. Suspension and exclusion from learning and assessment activities**

Enrolled students are expected to continue with study while on suspension or during exclusion from learning and assessment activities. The nature of such study will be determined by the student's lecturer(s) in consultation with the relevant Portfolio Manager and individuals consulted in addressing the breach (e.g. an employer).

On completion of suspension or exclusion, an enrolled student in consultation with their lecturer(s) and the relevant individual(s) will determine an appropriate method for the enrolled student to resume study at the college. Such methods may include but are not limited to the following:

- requiring the enrolled student to re-enrol in units which were partially completed prior to suspension or exclusion;
- undertaking recognition of prior learning in accordance with relevant college policy for any informal or non-formal learning undertaken by the enrolled student during their suspension or exclusion; or
- making arrangements for enrolled students to undertake assessments and receive training missed during suspension or exclusion.

Under all instances, the student is responsible for any associated fees related to their academic course enrolment as deemed appropriate by the college.

The academic progress of other college students must not be compromised by the method chosen for an enrolled student to resume study following suspension or exclusion.

### **5.10. Withholding results**

Where an individual is entitled to an award in accordance with the college's Academic Award and Records Policy, but has finished serving a penalty issued by SM TAFE, or retains SM TAFE property without lawful reason, the individual's award may be withheld until:

- the penalty is paid or served;
- the property returned; or
- the college is reimbursed for the cost of the property.

### **5.11. Appeal of decision**

An individual may appeal the college's decision of an individual's breach of the Student Code of Conduct or the resolution to address their grievance. The appeal must be in writing and received by the Manager Training Administration Services within seven business days of the individual receiving the college's decision, penalty or resolution.



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An appeal relating to academic misbehaviour shall be reviewed by the General Manager Training Services who will make a decision with respect to the appeal in consultation with individuals they deem necessary.

A decision with respect to an appeal must be made and communicated to the individual making the appeal within 10 business days of the college receiving the appeal.

An appeal relating to general misbehaviour shall be reviewed by the General Manager Training Services or Organisational Services (depending on the type of misbehaviour) who will make a decision with respect to the appeal in consultation with individuals they deem necessary.

A decision with respect to an appeal must be made and communicated to the individual making the appeal within 10 business days of the college receiving the appeal.

### **5.12. Learning and assessment undertaken off premises**

Where an enrolled student is undertaking learning and assessment activities off campus (e.g. work placement) the enrolled student must comply with rules and regulations of the off-campus employer/operator/business in addition to the Student Code of Conduct. In instances where such rules and regulations conflict with the Student Code of Conduct, these are to be managed on a case by case basis by the relevant Portfolio Manager in consultation with the individuals they deem necessary.

## **6. DOCUMENTS SUPPORTING THIS POLICY**

### **6.1. Policies**

TS01 Student Code of Conduct

QD10 VET Academic Appeals

### **6.2. Procedures**

TS0101 Student Code of Conduct Breach Management Procedure (Flow Chart)

QD1001 VET Academic Appeals procedure

### **6.3. Forms**

TS010101 Student Management Agreement Form

TS010102 Student Behaviour Investigation form

TS010103 Notice of Penalty Relating to Misconduct

TS010104 Student Behaviour Assessment

TS010105 Student Incident Report – Level 1

PL040101 Customer Complaint Form

### **6.4. Other**

Appendix – Student Code of Conduct – student version for website

## **7. POLICY REVIEW AND COMMUNICATION**

RTO Provider No. 52787

TAFE International WA Provider No. 52395 – CRICOS Code 00020G

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All staff will be notified of new policies and policy changes and the documents will be available on the QMS.

### 8. POLICY APPROVAL

Approved and Endorsed:

Terry Durant

Managing Director

Date: 28 March 2018

### 9. DOCUMENT HISTORY AND VERSION CONTROL

Version	Date Approved	Approved by	Brief Description
V1.0	08/02/2017	Managing Director	Student Code of Conduct
V2.0	28/03/2018	Managing Director	Student Code of Conduct
V2.1	02/08/2019	ED Construction, Hospitality & Commerce	Principles updated.
V2.2	24/05/2021	ED Construction, Hospitality & Commerce	Updated Copyright on website version. Updated TS0101 procedure – Process for managing breaches and appeals.



## APPENDIX

### Student Code of Conduct – student version for website



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*We're working for  
Western Australia.*



## Student Code of Conduct

The Student Code of Conduct outlines the expected standard of behaviour for students.

In general, it is expected that as a student you will:

- Be responsible for your study program  
Treat staff and fellow students courteously and with consideration at all times including refraining from any activities that may be construed as harassment including bullying and cyber-bullying
- Maintain a reasonable standard of grooming, including appropriate standards of hygiene and clothing
- Take reasonable care of South Metropolitan TAFE property, equipment, and facilities

Sanctions, such as revoking computer or library privileges, withholding results, and suspension or expulsion from South Metropolitan TAFE, may be applied where students fail to conduct themselves in an appropriate manner. South Metropolitan TAFE by-laws provide further information on what is expected of students and the penalties that may be applied. A copy of the by-laws can be obtained from the website.

If you are unsure about what is the right thing to do in any circumstance, you are encouraged to ask advice from our staff.

The conduct expected of a student is outlined in more detail below:







## **Dress standards**

Students are expected to dress in a manner that is neat, clean and safe at all times, as would be expected in the workplace. You are also expected to wear any PPE (Personal Protection Equipment) or other attire as required by your course.

## **Alcohol and drugs on institute premises**

Students are not allowed on South Metropolitan TAFE premises or to use its facilities whilst adversely affected by alcohol or other drugs. The possession, use or sale of illicit substances on college premises is forbidden.

## **Smoking on institute premises**

Smoking is forbidden throughout South Metropolitan TAFE premises and facilities, including all outdoor areas, and taking in the areas immediately outside entrances to South Metropolitan TAFE buildings.

## **Eating and drinking on institute premises**

Eating is restricted to the canteen and communal, uncarpeted areas and is not permitted in classrooms or the libraries.

## **Occupational health and safety**

We are committed to promoting a safe and healthy work and study environment and recognises its obligation under the Occupational Safety and Health Act 1984 (OS&H Act) to, so far as practicable, provide and maintain a working environment where its employees and students are not exposed to hazards. The OS&H Act also requires individuals to take responsibility for contributing to their own safety in all circumstances.

## **Conduct dangerous to others**

Conduct, which constitutes a danger to anyone's health, safety or personal well-being, will not be tolerated. It includes physical abuse, threatening behaviour, harassment, discrimination, possession of dangerous weapons, or the creation of a condition that endangers or threatens the health, safety or well-being of self or others.





## **Unacceptable behaviour**

### **Personal use of websites, social media sites and posts**

SM TAFE students can post to, or create, social media sites or websites for personal use so long as such social media sites or websites are not construed as official SM TAFE Facebook groups, social media sites or websites.

When posting to or creating social media sites or websites for personal use, SM TAFE students must ensure that content is not defamatory to SM TAFE, its Governing Council, employees, students or stakeholders. Students are personally liable for their posts and the social media sites they create.

Any posts that contain defamatory or negative comments aimed at damaging SM TAFE's reputation or the reputation of its lecturers that are identified as having been made by a student will be noted on that student's record, and sanctions may be imposed as per the Student Code of Conduct Policy.

### **Misuse of college property**

Any act of misuse, vandalism, theft, malicious or unwarranted damage or destruction, defacing (including graffiti), disfiguring, or unsafe or unauthorised use of property is a violation of the Student Code of Conduct.

### **Compliance with published policy**

Policies have been developed to guide students in the use of some of the facilities within South Metropolitan TAFE. You should make yourselves familiar with these policies, as you are required to comply with them if you use those facilities.

They include:

- Authorised Use of Computing Facilities



- This policy is posted in every room in the institute with computing facilities for students' use. See below.
- Conditions of Use of Libraries
  - Students must abide by the Library Conditions of Membership that are displayed in all Libraries and on the library section of the website.

## Academic misconduct

Academic misconduct includes:

- Regular lateness in attending classes and lateness in submitting assignments and assessable work.
- Failure to attend classes or other contact sessions and failure to submit assessable work according to deadlines.

**Academic misconduct also includes:**

### Cheating

Cheating means gaining an unfair advantage in an assessment by deception or a breach of the rules governing the assessment.

### Plagiarism

The term plagiarism refers to taking and using another person's ideas, writing or inventions as your own and failing to acknowledge the source and is not acceptable.

## Copyright

You may only copy materials in accordance with the Copyright Act 1968 and you must comply with licences for the use of intellectual property, including software. If you repeatedly use the South Metropolitan TAFE ICT network to infringe copyright, your ICT network access privileges may be suspended.

## Confidentiality

As an enrolled student, you may be required to attend practical work experience placements as part of your studies. In the course of these placements, you may become familiar with information that is confidential to that workplace. You must not divulge any information that you may become aware of as a result of a placement.



## Sanctions

Behaviour contrary to the student code of conduct often also constitutes a breach of our by-laws. There are a number of sanctions (penalties) that can be imposed on people who breach the Institute's By-laws including fines, suspension, expulsion or other exclusions, and withholding results.

You should appreciate that serious offences such as assault, theft, wilful damage and unlawful activities are highly likely to attract a suspension or even expulsion.

For a serious offence, suspension may be applied immediately, obviously impacting on your ability to continue or complete your studies.

For minor breaches of the code of conduct you will receive a warning asking you to rectify your behaviour. This may be a verbal reminder of the expected behaviour or an official written warning. Sanctions may be applied, including suspension, for consistent minor breaches of the code of conduct.

You should be aware that external authorities, such as the police, may be involved, in addition to any action taken under the by-laws, where a student's conduct breaks the law.

## Further assistance

If you have concerns about any aspect of our service, or suggestions about improving services, we want to know about them. You can bring your concerns or your suggestions to the attention of relevant staff by completing a complaint or suggestion form available at our Client Services area at any campus location, or through an online form via our website.

If you have any questions about the matters covered in the Student Code of Conduct, you should ask your lecturer or another staff member for assistance. Security staff are also available at some campuses to protect both property and people. They are available to you for assistance in any matter of access or security. Security staff will contact police and other emergency services if necessary.