

Student Discipline & Misconduct Policy & Procedures

1. Purpose

Perth College of Business & Technology (PCBT) is committed to providing quality training and assessment in accordance with the Standards for Registered Training Organisations (SRTOs 2015). As such, PCBT is required to comply with relevant Commonwealth, State and Territory laws regarding and including anti-discrimination and equal opportunity. Perth College of Business & Technology is committed to providing the best practice, professional products and services to its clients and acknowledges it can only succeed in this with effective and efficient quality processes.

2. Scope

The purpose of the Student Discipline and Misconduct Policy is to provide a fair, equitable and confidential policy and procedure for investigating and resolving alleged cases of student misconduct. The policy and procedure applies to all students enrolled in a programme of study offered by Perth College of Business and Technology at all campuses, warehouses and kitchens utilised by the staff and students of Perth College of Business and Technology.

3. Policy Statement

Perth College of Business & Technology will consider principles of natural justice, equal opportunity, honesty and fairness in all dealings with students enrolled with the college.

4. Definitions

ACADEMIC MISCONDUCT includes, but is not limited to:

- Collusion and plagiarism
- Submission of assessable work that is not their own work
- Plagiarism not attributed to the original source or process
- Cheating

NON-ACADEMIC Misconduct includes but is not limited to:

- Not abiding by the Student Code of Conduct
- Bullying and Harassing of PCBT's students, trainers and others in PCBT's classrooms, warehouses and kitchens in any forum or activity
- Using audible obscenities and other disrespectful and offensive language
- Using verbally abusive, hostile or threatening behavior towards students, staff members or visitors
- Acting dishonestly or intentionally misleading
- Stealing
- Being under the influence of drugs or alcohol
- Not adhering to Workplace Health and Safety guidelines
- Disobeying, ignoring or not complying with any directive, direction, policy or procedure

- Engaging in behavior which might embarrass, offend or upset others
- Any form of assault
- Carrying, possessing or displaying any weapon on PCBT Campuses, including warehouses and kitchens

Serious Misconduct may result in suspension or expulsion.

Student Behaviour Outcome (Student Discipline and Misconduct Action Form) is a contract outlining stated and expected behaviours as part of student conduct in enforcement of penalties.

5. Policy Principles

This policy is underpinned by the following principles:

- Any student who is the subject of an allegation of an act of misconduct is entitled to be regarded as not having committed the act until they admit to the misconduct or a fair, equitable and proper investigation leads to a reasonable determination that they have committed an act of misconduct.
- PCBT must at all times act in accordance with due process and duty of care responsibilities

6. Perth College of Business & Technology Responsibilities

The Academic Manager of Perth College of Business and Technology is responsible for the implementation of this policy/procedure and to ensure that staff and students are aware of the application and that staff implement its requirements.

7. Procedure

Any staff member may, in an acute situation, take whatever reasonable action is deemed necessary as a safety precaution. If necessary, the staff member may arrange for security or call the Police.

Student may be suspended or expelled if action is deemed to be of extreme danger.

The Academic Manager will track, manage, audit and report cases of student misconduct. Written notes of outcomes, actions and agreements at all stages of misconduct will be documented till the case is resolved.

Once the case is resolved, documentation will be uploaded on Power Pro.

8. Process Guidelines for Alleged Cases of Misconduct

Acts of alleged misconduct are to be recorded in the **Incident Report Form or Critical Incident Form** which will be completed within two days of the incident and lodged with the Academic Manager.

The Academic Manager will undertake an initial investigation with all parties and record the findings and will consider

- the report documented in the Incident /Critical Incident Report Form
- the type of alleged act of misconduct and the severity of the allegations documented.
- All available evidence
- Any time constraints involved for reporting, procedural and compliance requirements.

Should the student accept and admit to the offence and the imposed penalties, then the Academic Manager will notify the SSO.

SSO will notify the student in writing

- Of the investigation and refer student to PCBT's Policy and Procedure on Student Discipline and Misconduct.
- The reasons for the decision and penalty.

Should the student not accept and admit to the offence and the imposed penalties, then the Academic Manager will notify the SSO.

SSO will notify the student in writing

- The reasons for the decision and penalty
- Details on the right of the appeals process

Appeals Process

If the student wishes to appeal, they must lodge the Complaints and Appeals form within 20 working days.

The form must be lodged with the SSO and must meet the requirements for an Appeal.

Please refer to Complaints and Appeals Policy and Procedure.

External Appeals Process

If the student believes there has been procedural irregularity in dealing with the misconduct case, in the internal Appeals Process, they may exercise their right by way of an Appeal as per the External Appeals Process.

9. Supporting Documentation

- Student handbook
- Incident /Critical Incident Form
- Student Discipline and Misconduct Action Form
- Complaints and Appeals Policy and Procedure

Policy Reference: National Code 2018: 8 & 10

Education Services for Overseas Students Act 2000(ESOS)

& Education Services for Overseas Students regulations 2001