

Policy Overview:

To promote the professional standards, responsibilities and obligations to all students and relevant staff that underpin The Instruction Company (TIC)'s core values, and the way TIC conducts its business.

Objective:

This policy is designed to promote an environment in which students and staff develop and display a positive, respectful and ethical approach to TIC and to each other. The policy outlines the standard behaviour expected to protect the safety and well-being of all associated with TIC.

Persons Responsible:

This applies to all:

- CEO/General Manager
- Managers
- National Compliance & Quality Manager (NCQM)
- Trainers and Assessors
- Administration Staff
- Students

Compliance Standards:

This policy relates to the following Standards for RTO's 2015: 1.1-1.4, 2.2, 1.5, 1.6, 1.8-1.12, 1.13-1.16, 1.26, 1.27, 3.5, 5.1 - 5.3, 7.3.

Related Policies/Templates/Documents:

- F-024.6 Incident Report Form
- F-150.6 Code of Conduct for Trainer and Assessors
- F-151.6 Code of Conduct for Administration Staff
- F-152.6 Code of Conduct for Sales Staff
- F-011.6 Code of Conduct for Students

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Definitions

Misconduct is when a student or staff member breaches the Code of Conduct.

Serious Misconduct is when a student or staff member breaches the Code of Conduct which is unacceptable and instant dismissal or cancellation of training is warranted.

Code of Conduct Policy

1. The Code

1.1. All Trainers and Assessors, Training Coordinators and Office Administration and Students are provided with a Code of Conduct during enrolment or as part of their employment process. The purpose of the Code is to promote and ensure all persons display behaviours that encourage an ethical environment, free from discrimination, harassment and unprofessional conduct. Each Code is developed for the different responsibilities and behaviours associated within the different roles. TIC must ensure that all persons who are provided with a Code, understand and formally accept the requirements outlined within the Code and retain in the appropriate files.

2. Misconduct

- 2.1. TIC is responsible for monitoring the behaviours and actions within each Code of Conduct. Where behaviour is deemed improper or inappropriate further disciplinary action will be taken. **Refer to 2. Breaching Code of Conduct Procedure.**
- 2.2. Serious misconduct such as behaviour that is illegal, voluntary or premeditated will be actioned and if found guilty result in instant dismissal or immediate suspension pending an inquiry that may be reported to appropriate authorities. Examples of serious misconduct may include although not limited to:
 - 2.2.1. Stealing or embezzlement from TIC.
 - 2.2.2. Use of illicit drugs and alcohol on the premises or taken prior and still under the influence whilst on the premises.
 - 2.2.3. Breaching legislative and regulatory requirements.
 - 2.2.4. Malicious damage to equipment.
 - 2.2.5. Any form of assault or other offensive actions against others.
- 2.3. TIC will ensure that all breaches and disciplinary action are managed in a fair and ethical manner adhering to their legislative obligations.
- 2.4. Any incidents of misconduct must be recorded in F-024.6 Incident Report Form

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Code of Conduct Procedure

1. Code of Conduct Agreement			
Action / Task	Responsible	Timeline	
A formal process must be provided ensuring that all relevant staff and students understand and agree to their Code of Conduct by signing and dating where appropriate. Should any staff member or student question or disagree with the Code of Conduct, the CEO/General Manager must be notified immediately for appropriate action and be documented in the student or staff member file.	Trainer and Assessor Compliance Manager CEO/General Manager	During enrolment, employment or when otherwise required.	
Enrolled students			
Students will be provided with a Code of Conduct as part of their enrolment. Students will not be able to commence their studies until this document is signed and dated. A copy of the Code of Conduct will be maintained in the student file. Students will also have access to the Code of Conduct in their Student Information Guide.	Trainers and Assessors Managers		
New Staff			
New Staff will be provided with a Code of Conduct as part of their induction process. This must be signed and dated within 5 business days of commencing with TIC. A copy of the Code of Conduct will be maintained in their personal file.	Staff		
Existing Staff			
All existing staff who are either trainers, assessors or administration and have not signed a Code of Conduct due to the following:			
 Implementation of the policy and procedure after the initial employment process; or 			
 Due to changes made as part of their job role/position. 			
Must sign a copy to be stored in their personal file.			

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2. Brea	aching Code of Conduct					
	gations of a breach of conduct have been raised, management d to investigate such allegations immediately and decide upon e action.	Managers	When there is an allegation of a breach			
2.1 Types	2.1 Types of Breach Relevant staff					
business an Misconduct	of Conduct outline the types of behaviour required to conduct d represent TIC in a professional and ethical manner. and/or serious misconduct is going against these behaviours rds. Examples may include although not limited to:	involved in the breach Manager				
2.1.1	Plagiarism and cheating.					
2.1.2	Undertaking illegal actions such as theft					
2.1.3	Discrimination, bullying and harassment.					
2.1.4	Fraud					
2.1.5	Bribery					
2.1.6	Gross negligence					
2.1.7	Damage to TIC property					
2.1.8	Dishonesty					
2.1.9	Assault					
2.1.10	Drunkenness and taking illicit drugs.					
2.2 Measi	ures taken by TIC					
misconduct	aken by TIC in relation to unsatisfactory performance, or serious misconduct as outlined in this policy and procedure e of Conduct includes although not limited to:					
2.2.1	Formal counselling	CEO/General				
2.2.2	Verbal or written warning	Manager				
2.2.3	Suspension with or without pay.	Manager	During an			
2.2.4	Withholding of a promotion or responsibilities	Trainer Assessor	investigation			
2.2.5	Demotion		and disciplinary action			
2.2.6	Transfer within TIC.		action			
2.2.7	Termination of employment					
2.2.8	Suspension or termination from the course/enrolment.					
2.3 Discip	linary Action for Students:					
The following process is a guide to follow should students be required to						
undertake (disciplinary action.					
2.3.1	Consultation with the student's trainer, assessor or relevant staff member documenting outcomes on F-024.6 Incident Report Form and logged.					
2.3.2	Consultation with the student (and the students guardian where required) either face to face, via phone, skype or email documenting outcomes on - F-024.6 Incident Report					

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	Form and logged. If face to face, written documentary	Trainer Assessor				
	evidence must be provided and signed by both parties for	Manager				
	record purposes.					
2.3.3	Determining what action is appropriate based on	CEO/General				
	consultation and evidence (if available).	Manager				
2.3.4	Communicating the action face to face, phone, skype or	Manager				
	email with the student allowing them reasonable time (five					
	(5) days) to respond to any matters of concern in writing or					
	verbally.	NQCM				
2.3.5	Should a formal meeting be required inform the student on	CEO/General				
	their rights such as the support of a third party to attend	Manager				
	and their right to appeal.	Manager				
2.3.6	Should the student not agree with the outcome and request	Wallagei				
	their right to appeal the decision, the appeal must be made					
	in writing and addressed to the National RTO Quality and					
	Compliance Manager (NQCM). This appeal must be made within five (5) days of the decision being formalised in					
	writing. The NQCM will (if not already) notify the CEO or	Human Resources				
	Manager to discuss further action.					
2.4 Discir	2.4 Disciplinary Action for TIC staff					
-	ing process is a guide to follow should Staff be required to					
	disciplinary action.					
2.4.1	Gather evidence and establish facts.					
2.4.2	Consult with HR professional for advice and support.					
2.4.3	Arrange a meeting with the staff member concerned					
	advising them of their rights and obligations.	NQCM				
2.4.4	Discuss the actions and document.	CEO/General				
2.4.5	Provide staff member concerned with a copy of the	Manager				
	documented outcomes of the meeting.	Manager				
2.4.6	Should a written warning be required based on repetitive					
	actions after any form of discussion, performance management					
	and/or counselling the supervisor must arrange a formal					
	meeting allowing the staff member the opportunity to respond.					
	The formal meeting should include two persons with authority					
	such as the CEO, General Manager, Manager and/or NQCM					
	depending on the breach.					
	Written warning must be provided to the staff member and a copy to be recorded in their personnel file and include:					
2.4.7.1	Outline the behaviour of concern.					
2.4.7.2	Assistance and support TIC will provide.					
2.4.7.3 Consequences should the behaviour and actions remain.						
2.5 Reco	2.5 Recording and Reporting Disciplinary Action					

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	All paperwork associated with the incident must be recorded and stored				
the	either th	e students records file or staff file. All relevant			
cor	responde	nce may include although not limited to:			
	2.5.1	Letters of complaint from clients or students	Training		
	2.5.2	Emails from staff, students, and/or clients	Coordinators and		
	2.5.3	Incident forms	Office		
	2.5.4	Evidence of performance counselling	Administration		
	2.5.5	Minutes of meetings			
	2.5.6	Statutory Declarations			
	2.5.7	Evidence of plagiarism			
	2.5.8	Evidence of any internal TIC documentation that is			
		inappropriate.			
	2.5.9	RTO operational documentation.			
2.6 CEO/General Manager Notification					
Where police, fire or emergency response is required, the CEO must be					
notified immediately, and a report submitted as soon as practicable and					
the incident logged.					
The	CEO/Ge	neral Manager is then responsible for ensuring that all			
relevant authorities are provided with the required information for the					
matter and that a full report is recorded and provided to the board.					
2.5.7 Evidence of plagiarism 2.5.8 Evidence of any internal TIC documentation that is inappropriate. 2.5.9 RTO operational documentation. 2.6 CEO/General Manager Notification Where police, fire or emergency response is required, the CEO must be notified immediately, and a report submitted as soon as practicable and the incident logged. The CEO/General Manager is then responsible for ensuring that all relevant authorities are provided with the required information for the					

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Document Revision History

Version Number	Author	Date Published	Description
2.0	Aleena Velich	21/07/2017	Revising Code of Conduct policy to include new Codes of Conduct for Trainers & Assessors, Admin Staff, and Sales Staff.
2.1	Natalie Robinson	26/07/2017	Correcting Written Date. Added in Trainers and Assessors as existing personnel who need to sign Code of Conduct.
2.2	Natalie Robinson	28/07/2017	Removing Superseded Watermark incorrectly applied by Novacore.
			Updating Procedure for New Staff to say Code of Conduct should be signed during induction, within 5 business days of commencing with the RTO.
2.3	Natalie Robinson	16/02/2018	Updating policy to make use of F-024 Incident Report Form more explicit.
2.4	Hetty Coles	14/02/2019	Reviewed and updated to current version
2.5	Dayna Jackiw	15/07/2019	Controlled document review.
2.6	Rebekah Faleafaga	28/01/2020	Reviewed and updated to current version
2.8	Vicki Searl	20/04/2022	Reviewed and updated
2.9	Vicki Searl	26/05/2023	Reviewed and updated – minor changes

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