



P-025 Code of Conduct Policy and Procedure

Policy Overview:

To promote the professional standards, responsibilities and obligations to all students and relevant staff that underpin The Instruction Company (TICRail)'s core values, and the way TICRail 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 TICRail and to each other. The policy outlines the standard behaviour expected to protect the safety and well-being of all associated with TICRail.

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, Managers, 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. TICRail 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. TICRail 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 TICRail.
 - 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. TICRail 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
<p>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.</p> <p>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.</p> <p>Enrolled students</p> <p>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.</p> <p>New Staff</p> <p>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.</p> <p>Existing Staff</p> <p>All existing staff who are either trainers, assessors or administration and have not signed a Code of Conduct due to the following:</p> <ul style="list-style-type: none"> • Implementation of the policy and procedure after the initial employment process; or • Due to changes made as part of their job role/position. <p>Must sign a copy to be stored in their personal file.</p>	<p>Trainer and Assessor Compliance Manager CEO/General Manager</p> <p>Trainers and Assessors Managers</p> <p>Staff</p>	<p>During enrolment, employment or when otherwise required.</p>

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2. Breaching Code of Conduct		
<p>Where allegations of a breach of conduct have been raised, management are required to investigate such allegations immediately and decide upon appropriate action.</p> <p>2.1 Types of Breach</p> <p>Each Code of Conduct outline the types of behaviour required to conduct business and represent TICRail in a professional and ethical manner. Misconduct and/or serious misconduct is going against these behaviours and standards. Examples may include although not limited to:</p> <ul style="list-style-type: none"> 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. <p>2.2 Measures taken by TICRail</p> <p>Measures taken by TICRail in relation to unsatisfactory performance, misconduct or serious misconduct as outlined in this policy and procedure and/or Code of Conduct includes although not limited to:</p> <ul style="list-style-type: none"> 2.2.1 Formal counselling 2.2.2 Verbal or written warning 2.2.3 Suspension with or without pay. 2.2.4 Withholding of a promotion or responsibilities 2.2.5 Demotion 2.2.6 Transfer within TIC. 2.2.7 Termination of employment 2.2.8 Suspension or termination from the course/enrolment. <p>2.3 Disciplinary Action for Students:</p> <p>The following process is a guide to follow should students be required to undertake disciplinary action.</p> <ul style="list-style-type: none"> 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 	<p>Managers</p> <p>Relevant staff involved in the breach</p> <p>Manager</p> <p>CEO/General Manager</p> <p>Manager</p> <p>Trainer Assessor</p>	<p>When there is an allegation of a breach</p> <p>During an investigation and disciplinary action</p>

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<p>Form and logged. If face to face, written documentary evidence must be provided and signed by both parties for record purposes.</p> <p>2.3.3 Determining what action is appropriate based on consultation and evidence (if available).</p> <p>2.3.4 Communicating the action face to face, phone, skype or email with the student allowing them reasonable time (five (5) days) to respond to any matters of concern in writing or verbally.</p> <p>2.3.5 Should a formal meeting be required inform the student on their rights such as the support of a third party to attend and their right to appeal.</p> <p>2.3.6 Should the student not agree with the outcome and request 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 Manager to discuss further action.</p> <p>2.4 Disciplinary Action for TICRail staff</p> <p>The following process is a guide to follow should Staff be required to undertake disciplinary action.</p> <p>2.4.1 Gather evidence and establish facts.</p> <p>2.4.2 Consult with HR professional for advice and support.</p> <p>2.4.3 Arrange a meeting with the staff member concerned advising them of their rights and obligations.</p> <p>2.4.4 Discuss the actions and document.</p> <p>2.4.5 Provide staff member concerned with a copy of the documented outcomes of the meeting.</p> <p>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.</p> <p>2.4.7 Written warning must be provided to the staff member and a copy to be recorded in their personnel file and include:</p> <p>2.4.7.1 Outline the behaviour of concern.</p> <p>2.4.7.2 Assistance and support TIC will provide.</p> <p>2.4.7.3 Consequences should the behaviour and actions remain.</p> <p>2.5 Recording and Reporting Disciplinary Action</p>	<p>Trainer Assessor Manager</p> <p>CEO/General Manager</p> <p>Manager</p> <p>NQCM</p> <p>CEO/General Manager</p> <p>Manager</p> <p>Human Resources</p> <p>NQCM</p> <p>CEO/General Manager</p> <p>Manager</p>	
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<p>All paperwork associated with the incident must be recorded and stored in either the student's records file or staff file. All relevant correspondence may include although not limited to:</p> <ul style="list-style-type: none"> 2.5.1 Letters of complaint from clients or students 2.5.2 Emails from staff, students, and/or clients 2.5.3 Incident forms 2.5.4 Evidence of performance counselling 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. <p>2.6 CEO/General Manager Notification</p> <p>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.</p> <p>The CEO/General 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.</p>	<p>Training Coordinators and Office Administration</p>	
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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
2.10	Vicki Searl	23/12/2024	Minor change TIC to TICRail