



Policy Overview

To promote the professional standards, responsibilities and obligations to all students and relevant staff that underpin Australian Institute of Vocational Development Pty Ltd (AIVD) core values and the way AIVD 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 AIVD and to each other. The policy outlines the standard behaviour expected to protect the safety and well-being of all associated with AIVD.

Persons Responsible:

This applies to all:

- Operation Manager
- National Compliance and Quality Manager (NCQM)
- Trainers and Assessors
- Administration Staff
- Business Development Management Staff (BDM)
- 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.

This policy relates to the following Skills First VET Funding Contract Clauses: 4.1, 4.8

Related Policies/Templates/Documents:

- F-024.1 Incident Report Form
- F-150.1 Code of Conduct for Trainer and Assessors
- F-151.1 Code of Conduct for Administration Staff
- F-152.1 Code of Conduct for Sales Staff
- F-011.1 Code of Conduct for Students

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, Administration Staff, BDM Staff 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. AIVD 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. AIVD is responsible for monitoring the behaviours and actions within each Code of Conduct. Where behaviour is considered to be 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 AIVD;

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. AIVD 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-024.1 Incident Report Form**



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 are in disagreement with the Code of Conduct, the Operations 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 along with a hard copy provided to the student. 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 AIVD. A copy of the Code of Conduct will be maintained in their personal file along with a hard copy provided to the staff member.</p> <p>Existing Staff</p> <p>All existing staff who are either trainers, assessors, administration or BDM staff 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>BDM Administration Operations Manager</p>	<p>During enrolment, employment or when otherwise required.</p>



2. Breaching Code of Conduct

Where allegations of a breach of conduct have been raised, management are required to investigate such allegations immediately and decide upon appropriate action.

2.1 Types of Breach

Each Code of Conduct outline the types of behaviour required to conduct business and represent AIVD 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:

- 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 AIVD property
- 2.1.8 Dishonesty
- 2.1.9 Assault
- 2.1.10 Drunkenness and taking illicit drugs.

2.2 Measures taken AIVD

Measures taken by AIVD 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:

- 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 AIVD
- 2.2.7 Termination of employment
- 2.2.8 Suspension or termination from the course/enrolment.

2.3 Disciplinary 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-024.1 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-024.1 Incident Report Form** and logged. If face to face, written documentary

Trainer
Assessor
Relevant staff
involved in the
breach.
Operations
Manager

When there is
an allegation of
a breach

Operations
Manager
Trainer
Assessor

During an
investigation
and disciplinary
action



<p>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 Compliance and Quality Manager. This appeal must be made within five (5) days of the decision being formalised in writing. The NCQM will (if not already) notify the CEO, Operations Manager to discuss further action.</p>	<p>Trainer Assessor</p> <p>Operations Manager</p> <p>Operations Manager</p>	
<p>2.4 Disciplinary Action for AIVD 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 Operations Manager and/or NCQM 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 AIVD will provide.</p> <p>2.4.7.3 Consequences should the behaviour and actions remain.</p>	<p>NCQM CEO Operations Manager</p> <p>Operations Manager NCQM</p>	
<p>2.5 Recording and Reporting Disciplinary Action</p> <p>All paperwork associated with the incident must be recorded and stored the either the students records file or staff file. All relevant correspondence may include although not limited to:</p>		



<p>2.5.1 Letters of complaint from clients or students</p> <p>2.5.2 Emails from staff, students, and/or clients</p> <p>2.5.3 Incident forms</p> <p>2.5.4 Evidence of performance counselling</p> <p>2.5.5 Minutes of meetings</p> <p>2.5.6 Statutory Declarations</p> <p>2.5.7 Evidence of plagiarism</p> <p>2.5.8 Evidence of any internal AIVD documentation that is inappropriate.</p> <p>2.5.9 AIVD operational documentation.</p> <p>2.6 CEO 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 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>		
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Document Revision History

Version Number	Author	Date Published	Description
2.6	Pippa Price	03/02/2020	Policy created from original policy (P-025) specifically for RTO.
2.7	Rebekah Faleafaga	10/02/2020	Updated Roles to current requirements
2.8	Rebekah Faleafaga	29/03/2021	Updated as per current requirements