

S Support and Progression

S5 Learner Discipline

Standards Evidenced	
Standards Referenced	

General policy

The Service Trades College Australia (TSTCA) has a [Learner Code of Conduct](#) that all learners' are expected to adhere to. This will be provided to them at induction and/or online in the Learner Handbook. Where a learner does not follow the Learner Code of Conduct they may be subject to discipline.

The Learner Code of Conduct is designed to allow all learners to progress safely in their studies and to ensure that they are not injured, harassed, bullied, or in any other way negatively impacted by another.

Attendance

Learners are expected to attend all scheduled training sessions. This will be made clear to all learners during induction and orientation.

Where a learner is unable to attend a scheduled training session due to medical or other extenuating circumstances TSTCA will act with compassion towards the needs of the learner but will not undermine the requirements of the training and assessment process.

TSTCA considers a learner's failure to punctually attend, without good reason, more than 10% of their classes to be misconduct.

Learner misconduct

All learners who are undertaking long courses are required to sign the TSTCA code of conduct during induction and orientation.

Breaching the Learner Code of Conduct in any way is considered learner misconduct. Any action which has an intentionally negative or deleterious effect on the training experience of another learner, or the well-being of a staff member or other client of TSTCA, is also considered learner misconduct.

The CEO, or their elected delegate, will discuss any instance of suspected learner misconduct with that learner. Following this discussion, they will determine whether the alleged misconduct occurred and a decision regarding any disciplinary action to be taken. Any discussion of alleged misconduct, and the resulting decisions, must be detailed in the learner file.

Learner discipline

Learners who are determined to have engaged in misconduct may be disciplined. Disciplinary action to be taken is at the discretion of the CEO or their elected delegate, however it must follow the principles of natural justice and must not be degrading, humiliating, or out of proportion with the misconduct. Discipline must also not result in physical or mental harm to the learner.

At their discretion, the CEO or their elected delegate may decide to respond to the misconduct through actions including but not limited to:

- Counselling of the learner;
- Agreement on an action plan and timeframe to stop further misconduct;
- A formal warning;
- Ineligibility for assessment, for example in the case of class attendance falling below 90%;
- Prohibition from attending class; and
- Immediate expulsion.

As a person is legally accountable for their own behaviour, they can be held personally liable for any workplace or work-related acts of discrimination, sexual harassment, victimisation, and vilification they engage in. They may be subject to criminal proceedings brought by a victim or victims, as well as disciplinary action by TSTCA .

Complaints and appeals

Learners who are determined to have engaged in misconduct, whether they are disciplined or not, are to be informed that they have the right to appeal the decision or make a complaint if they feel they have been treated unjustly. For more details regarding the complaints and appeals process, refer to the [R5 Complaints and Appeals Policy](#).

Supporting processes

The following processes are defined to ensure these policy requirements are met:

Process Name	Purpose
Recording of Attendance	Record learner attendance at training and actions taken when learners have not attended
Learner Discipline	Investigate alleged learner misconduct and provide disciplinary action where appropriate

Supporting Forms and Documents

Document Identifier	Name
XXXX	Record of Attendance Sheet
S_QP01	Learner Discipline Procedure
S_FM06	Learner Disciplinary Action Plan

Evidence

To Evidence	Source
Attendance	Record of Attendance Sheet
Learner misconduct Learner discipline	Notes under learner file in VETtrak, letters, Action Plan, Record of Interview, Statement Form on learner file, Competency Assessment Record

--- End of Policy ---

Version Control

Version #	Date	Changes
1.0	27/10/17	First release