

VEP01 STUDENT CODE OF CONDUCT POLICY AND PROCEDURE

Abbreviations:

ATMC (The Company)	Australian Technical and Management College
CEO	Chief Executive Officer
DHA	Department of Home Affairs
eCoE	Electronic Confirmation of Enrolment
PR	Permanent Resident
PRISMS	Provider Registration and International Student Management System
SVTS	Skills Victoria Training System
VTG	Victorian Training Guarantee

Policy

1 Purpose

- 1.1 The intent of this document is to ensure that students conduct themselves in an appropriate manner that is respectful and lawful. The document outlines behaviours that may constitute Serious Misconduct and potential consequences for students found to have breached these behavioural standards.
- 1.2 There are consequences for non-compliance with the Student Code of Conduct including immediate suspension or cancellation in the case of severe breaches and/or conduct that may be construed as threatening to the safety of the student, other students, or any person on the ATMC premises.

2 Scope

- 2.1 This Code applies to all members of ATMC's education community

3 Principles

- 3.1 ATMC aims to provide a harmonious learning environment in which each member respects the beliefs, feelings, person and property of others without condition.
- 3.2 Staff, students and clients have a right to work and study in an environment free from bullying; discrimination; harassment; and threatening behaviour.
- 3.3 ATMC treats all breaches of the Student Code of Conduct seriously.

4 Policy Statements

4.1 Work and Study Environments

All reasonable steps will be taken by ATMC to create work and study environments, both on campus and online, which support the wellbeing and promote the safety of students and in which diversity and difference are respected.

4.2 Bullying, Discrimination, Harassment and Threatening Behaviour

Bullying, harassment, discrimination and other forms of threatening or unlawful behaviour is not tolerated at ATMC and is never acceptable. ATMC does not tolerate victimisation and will take reasonable steps to ensure that all individuals involved in dealing with, responding to, or managing these matters are not victimised.

4.3 Education and Training

ATMC will take all reasonable steps to inform and educate staff and students about their rights and responsibilities under this policy and procedure through information communicated on the ATMC website; in the Student Handbook; in the student orientation and staff induction programs; and in pre-arrival information for international students.

4.4 Privacy, Confidentiality and Transparency

Reports of bullying, discrimination, harassment or threatening behaviour will be treated confidentially and in accordance with ATMC's Privacy Policy and Procedure.

Reports may be shared confidentially with appropriate officers at ATMC or external authorities on a strict need to know basis; as a part of ATMC's duty of care obligations; or as required by law.

De-identified data may be used by ATMC for the purposes of reporting on the management of reports of bullying, discrimination, harassment, or threatening behaviour.

4.5 Adverse Impact on Student/s

ATMC acknowledges that any allegations or incidents of bullying, discrimination, harassment or threatening behaviour may have an adverse impact on the wellbeing of a student or student cohort and may impede their ability to complete their course. If this is the case, a student-focused response and ongoing management of the situation is required.

4.6 Legislative and Regulatory Compliance

Practices and processes at ATMC will be compliant with education provider obligations under Standard 6 of the National Code of Practice for Providers of Education and Training to Overseas Students (2018).

4.7 Complaints and Appeals

If a student enrolled at ATMC is dissatisfied with any aspect of the response to their bullying, discrimination, harassment, or threatening behaviour report by ATMC staff, they may lodge a complaint through the process outlined in the Student Complaints and Appeals Policy and Procedure.

4.8 Monitoring and Review

ATMC will monitor and analyse bullying, discrimination, harassment and threatening behaviour report data (in a form that protects the confidentiality of the individuals involved), and regularly report to VET Management, including recommendations regarding risk.

ATMC's approach to preventing, and responding to, bullying, discrimination, harassment, and threatening behaviour will be regularly reviewed, including through external expert advice, to ensure best practice is embedded.

Procedure

5. Responsibilities and Expectations

The responsibilities and unacceptable behaviour listed in this Student Code of Conduct are intended for behaviours outside of performance classes. In a class or performance context under supervision, some of these behaviours may be considered acceptable.

5.1 Students are expected to:

- 5.1.1 Respect the rights of others;
- 5.1.2 Respect the privacy of others;
- 5.1.3 Respect other people's rights to hold different positions and views;
- 5.1.4 Respect other people's beliefs, nationality, religion, age, associations and gender;
- 5.1.5 Treat all people in a fair and non-discriminatory way;
- 5.1.6 Be honest and act with integrity;
- 5.1.7 Not use offensive language;
- 5.1.8 Act with care and diligence on campus and at work-based training organisations;
- 5.1.9 Maintain an environment suitable for study and work free of interruption;
- 5.1.10 Respect and use ATMC's resources in a considerate manner;
- 5.1.11 Respect that the ATMC campus is a smoke free, alcohol free, and drug free environment;
- 5.1.12 Uphold the reputation of ATMC;
- 5.1.13 Comply with ATMC's policies and procedures as published in the Student Handbook.

5.2 Unacceptable Behaviour

Unacceptable behaviour includes, but is not limited to:

- 5.2.1 Bullying, discrimination, harassment, or physical assault;
- 5.2.2 Intimidating or threatening behaviour;
- 5.2.3 Making racist or sexist comments;

- 5.2.4 Behaving in a disruptive manner such as swearing, yelling or using offensive language including in online interactions and surveys;
- 5.2.5 Endangering the safety of yourself or others;
- 5.2.6 Breaching relevant State and Federal Laws, e.g., Work Health and Safety;
- 5.2.7 Selling, using, distributing or being in possession of drugs while attending classes/work experience, or under the influence of drugs;
- 5.2.8 Wilful damage to or theft of ATMC property;
- 5.2.9 Accessing, storing, processing or transmitting any information deemed to be threatening, obscene, pornographic or harassing in nature.

5.3 Serious Misconduct – Students

ATMC identifies certain examples of student behaviour as ‘Serious Misconduct’. All ATMC enrolling students sign an ATMC Code of Practice Agreement that they understand the guidelines of what constitutes an incidence of Serious Misconduct. They likewise agree that if an allegation of Serious Misconduct is substantiated that they must cease study immediately and remove themselves from the premises.

In all Serious Misconduct cases, subsequent enquiries after an initial interview with the primary party/ies concerned may be conducted with the affected student remotely or off-site if necessary for the safety of all, until the issue is completely resolved including all appeal processes and mediation processes pertaining to the same.

Examples of Serious Misconduct may fall under, but are not limited to, the following categories. The Chief Executive Officer (CEO) and a relevant staff member to determine if an incident of Serious Misconduct has occurred where it does not fall specifically under any heading listed below:

- 5.3.1 Bullying / threatening of any kind on or off campus either – physical/verbal/cyber (inc. texting) from any: student to student, staffer to student, or student to staffer.
- 5.3.2 Discriminatory behaviour of any kind on or off campus either – physical/verbal/cyber (inc. texting) from any: student to student, staffer to student, student to staffer or staffer to staffer.
- 5.3.3 Sexually harassing behaviour of any kind on or off campus either – physical/verbal/cyber (inc. texting) from any: student to student, staffer to student, or student to staffer.
- 5.3.4 Theft on campus of any kind.
- 5.3.5 Intoxication on campus of any kind (alcohol, drug induced or otherwise. On-campus includes all off-campus sites utilised by ATMC in the course of all its commercial delivery and assessment activities. These include live theatre venues; music recording facilities; identified off-campus sites for filming student or ATMC projects; and graduation sites.
- 5.3.6 On-campus selling or solicitation of sales of any illegal substances or products.
- 5.3.7 On-campus selling of any legal substances or products without prior permission in writing by the CEO.

5.3.8 Public or publicised interactions/declarations of a defaming nature (verbal, texted, web sourced) on or off campus, offered in the presence (cyber or otherwise) of other students, staff members or members of the general public, that are generated by a student that relate to their opinions or grievances toward other students, staff members or any ATMC protocols, practices, methods or systems of operation.

5.3.9 Solicitation for any kind of paid or unpaid work on or off campus either - verbal, texted, web sourced from any: student to student, staff member to student, or student to staff member prior to a student being fully and permanently withdrawn or graduated whether the work is related to performing arts or not.

Any student who enters study or employment at ATMC knowingly in an existing working relationship of this nature with any student or staff member – who does not declare this conflict prior to entry or employment – is likewise deemed to be in breach of the Serious Misconduct guidelines.

5.3.10 Social relationships or solicitations of any kind between any academic or non-academic staff and enrolled students are prohibited. If a student is not ‘permanently’ withdrawn from ATMC or completely graduated, social interactions on or off campus between students and staff members are strictly prohibited – including any kind of cyber or phone (call, texting, email or otherwise) relationship.

In the event of accidental social contact at an external function, all staff members are expected to ensure all contact during the function is kept at a minimum and that the contact desists completely at the functions end.

5.3.11 Receiving the private contact details of current students without the prior written permission of the CEO and VET Management. Permission can be temporarily given to enable the collaboration for an identified assessable project.

Once this project is complete, student contact details must be immediately erased from the phone and/or computer memory of the staff member and cannot be used by the staff member to contact the student again unless permission is again sought separately.

5.3.12 Any conduct that would generate disrepute toward any ATMC staff member or student or guest or ATMC in the greater professional sense.

5.3.13 Unreported observances of Serious Misconduct of any kind constitute Serious Misconduct on behalf of the party who fails to report the same.

5.4 Reporting Breaches

5.4.1 ATMC staff and students are responsible for maintaining a harmonious learning environment. Students are encouraged to report any unnecessary pressure, disturbance, or harassment by any member of staff or by any other student.

Any potential breaches of this Student Code of Conduct should be reported to Student Administration or a staff member immediately.

5.4.2 Reports of breaches can be submitted in writing or verbally clearly outlining the details to Student Administration, Lecturer, Director of Higher Education or CEO.

5.4.3 If you are uncertain about your rights and responsibilities, please contact the Student Support Office for clarification. Your rights as a student will always be respected and you are in turn, expected to respect the rights of others.

ATMC will not tolerate victimisation of anyone who reports potential breaches of this policy.

5.5 Disciplinary Procedures

ATMC treats all breaches of the Student Code of Conduct seriously. Reports of breaches will be acknowledged and investigated as soon as possible and involved parties will be informed in writing.

Reports of breaches are investigated by the CEO and follow up meetings will be held with the CEO, Student Support Officer, and where deemed necessary, relevant students and other staff members.

At the meeting a decision will be made on whether disciplinary action should be taken based on evidence and any documented compassionate or compelling circumstances. This could include cancellation of enrolment.

Potential outcomes for substantiated breaches are, but not limited to:

5.5.1 Written Warning,

5.5.2 Suspension from Class,

5.5.3 Request for Apology,

5.5.4 Referral to Counselling,

5.5.5 Student Monitoring,

5.5.6 Mediation,

5.5.7 Removal from class with supervision from another ATMC staff member, other than the lecturer,

5.5.8 Cancellation of Enrolment.

Where the breach is perceived as being an immediate risk to the wellbeing of students, staff or the general public, ATMC will report the breach to relevant authorities, including the Police.

5.6 Cancellation of Enrolment

In cases where ATMC intends to cancel a student's enrolment because of a breach of the Student Code of Conduct, students will be notified in writing of ATMC's intention to cancel their enrolment and the detailed reasons for this decision.

Students are advised in writing of their right to appeal this decision through the internal complaints and appeals process, in accordance with the Student Complaints and Appeals Policy and Procedure. Students have twenty (20) working days to appeal from the date of intention to cancel their enrolment has been received.

International students are advised to seek advice from the DHA on the potential impact on their visa of their cancellation of enrolment.

The cancellation of the international student's enrolment cannot take effect until the internal appeals process is completed, unless the overseas student's health or wellbeing, or the wellbeing of others, is at risk.

5.7 Appeals Process

If a student enrolled at ATMC is dissatisfied with any aspect of the response to their bullying, discrimination, harassment or threatening behaviour report by ATMC staff, they may lodge a complaint through the process outlined in the Student Complaints and Appeals Policy and Procedure.

5.8 Responsibilities

5.8.1 Chief Executive Officer (CEO)

Reports of breaches are investigated by the CEO. The CEO and identified persons, as outlined in point 5.5, will decide on whether disciplinary action should be taken based on evidence and any documented compassionate or compelling circumstances.

5.8.2 Staff and Students

All ATMC staff and students are responsible for maintaining a harmonious learning environment. Students are encouraged to report any undue pressure, disturbance, or harassment by any member of staff or by any other student.

6 Respectful communication

6.1 **R** – take **Responsibility** for what you say and feel without blaming others:

Students and ATMC staff must all be responsible for their verbal and nonverbal communication with and about others.

6.2 **E** – use **Empathetic** listening:

Students and ATMC staff must be empathetic towards each other whilst communicating, recognising issues that have arisen and using respectful communication techniques to overcome issues at hand.

6.3 **S** – be **Sensitive** to differences in communication/cultural styles:

Students and ATMC staff must demonstrate sensitivity to individual communication/cultural styles in a respectful and lawful manner.

6.4 **P** – **Ponder** what you hear and feel before you speak;

Students and ATMC staff must take the time to reflect on communication issues arising and take time out to ensure calm, productive and respectful conversations can proceed to resolve issues at hand.

6.5 **E** – **Examine** your own assumptions and perceptions:

Students and ATMC staff must recognise that we cannot always be neutral to an issue, thus having the ability to recognise this in ourselves and to evolve others that can provide a more neutral setting to ensure respectful communication with all.

6.6 **C – keep Confidentiality:**

Students and ATMC staff must ensure they maintain confidential private information of other students and ATMC staff.

6.7 **T – Tolerate** ambiguity because we are not here to debate. There are no “winners” or “losers.”

Students are here to study and improve our position as lifelong learners, and the staffs at ATMC are here to facilitate this process in an educational and respectful setting.

7 **Harm minimisation**

7.1 If the student displays any signs of violence likely to cause harm to others, ATMC’s staff will call the nearest police station and report the student. First aid and other medical assistance may be provided if required and where appropriate and if required 000 will be called for further assistance.

8 **Plagiarism**

8.1 Students found cheating during assessment, or who have submitted plagiarised work, will be given an opportunity to explain their case during an intervention meeting.

8.1.1 Depending on the situation, the Academic/Student Support Manager shall decide whether the student should repeat the unit and pay the repeat tuition fee or resubmit the assessment and have the breach dealt with under other provisions of the Student Code of Conduct.

8.2 Where applicable, an improvement plan will be developed to assist the student to complete the course.

9 **Procedures for other breaches to the Code of Conduct**

9.1 For any other breach of conduct, a member of ATMC’s staff will contact the student to arrange an intervention meeting to discuss the issue or conduct and determine how the issue might be rectified. This meeting and its outcomes will be documented in the student file.

9.1.1 A letter will be issued to inform the student of the disciplinary action to be taken as discussed in the meeting.

9.1.1.1 This letter will inform the student of their right to access ATMC’s complaints and appeals process within twenty (20) working days (plus two (2) working days for postage and handling).

9.1.1.2 Failure to attend scheduled intervention meetings may result in ATMC deciding to suspend or cancel a student’s enrolment.

9.2 Failure to have any reasonable grounds or exceptional circumstances when found to have disobeyed signage or deliberately disregarded notices causing damage or misuse of ATMC’s property may result in the student being liable for associated costs.

9.3 For international students:

- 9.3.1 If ATMC intends to suspend or cancel a student’s enrolment, and it is not at the student’s request, the student must be informed they have twenty (20) working days to appeal to ATMC.
- 9.3.2 If the appeal is not upheld, or the student withdraws from the appeal process, ATMC must report the student to the Department of Home Affairs via [PRISMS](#).
- 9.3.3 The suspension or cancelling of the student’s enrolment cannot take effect until the appeal process is completed.
- 9.3.4 Suspension or cancellation of enrolment must be reported to Department of Home Affairs and may affect the student’s visa status.
- 9.3.5 At any stage of this procedure students can access ATMC’s Complaints and Appeals policy and procedure if they do not agree with a decision.

Definitions

PRISMS	<p>A secure database owned and maintained by the Department of Education and Training for the purposes of administering the Education Services for Overseas Students Act 2000 (The ESOS Act).</p> <p>PRISMS provide a range of reports and data exports, which can assist providers, State Education Departments and the Department of Education and Training by consolidating the information provided.</p> <p>PRISMS provide the means whereby education and training providers comply with legislative requirements by:</p> <ul style="list-style-type: none"> a) Issuing bona fide confirmation of enrolment (CoE) as ‘evidence of enrolment’ in a registered full-time course, to enable a student visa to be issued by Department of Homes Affairs, and: b) Reporting changes in course enrolment, particularly where study ceases (non-compliance), or the duration of the study changes. c) PRISMS also facilitate the monitoring of student compliance with visa conditions, as well as provider compliance with the Education Services for Overseas Students Act 2000.
Skills First Funding	<ul style="list-style-type: none"> • The Skills First Program is a Victorian State Government scheme that provides access to government subsidies training to eligible individuals for specific courses. • If an individual is eligible, the government will contribute to the cost of the training.
Student	<ul style="list-style-type: none"> • Is anyone who is enrolled in one or more units of competency at ATMC. • They can be either a domestic student (i.e. Australian Citizen/PR holder or an Eligible Individual under the VTG) or an international student.

Legislation and Relevant Documents

- Academic Misconduct, Plagiarism and Cheating Policy and Procedure
- [Age Discrimination Act 2004 \(Cth\)](#)
- Attendance Policy and Procedure
- [Australian Human Rights Commission Act 1986 \(Cth\)](#)
- [Disability Discrimination Act 1992 \(Cth\)](#)
- [Education Services for Overseas Students Act 2000](#)
- [Fair Work Act 2009 \(Cth\)](#)
- [National Code of Practice 2018](#) – Standard 9 (9.3.1, 9.4, 9.5, 9.6)
- Privacy Policy and Procedure
- [Provider Registration and International Student Management System](#)
- [Racial Discrimination Act 1975 \(Cth\)](#)
- [Sex Discrimination Act 1984 \(Cth\)](#)
- [Skills First Funding Program](#)
- [Skills First Quality Charter](#)
- [Skills Victoria Training System \(SVTS\)](#)
- Student Support Services Policy and Procedure
- [Standard VET Funding Contract](#)
- [Standards for Registered Training Organisations \(RTOs\) 2015](#)
- Complaints and Appeals Policy and Procedure

Version Control

Document Name		Student Code of Conduct Policy and Procedure		
Document Code		VEP01		
Department		VET Management		
Approved By		CEO	Date Approved	August 2022 & March 2023
Revision History				
Version	Date of Changes	Change Summary	Author	Review Due
V1.0	June 2020	New Document	VET Management	October 2020
V1.3; V1.4	June 2022	Review and update of general information	VET Management	June 2024
V1.5	February 2023	Review and update links and update Version Control table	Compliance Manager	February 2025
Organisation		Australian Technical and Management College		
Document Controller		Compliance Manager		