

SCOPE

The purpose of the Code of Conduct policy is to ensure that the organisation adheres to regulatory requirements and promotes a safe, respectful, and effective learning environment. This policy applies to all staff, students, and contractors of the RTO, as well as to third-party providers such as Training Alliance Group (TAG).

DEFINITIONS

CEO – Chief Executive Officer.

COO – Chief Operating Officer – Training.

TAG – Training Alliance Group.

PPE – Personal Protective Equipment.

SMS – Student Management System

RTO - Registered Training Organisation:

- Mining Transport and Construction Services Pty Ltd (MTACS) (RTO 52053)

RESPONSIBILITY

It is the responsibility of RTO management to ensure that all staff, students, contractors, and third-party providers (TAG) are aware of the Code of Conduct.

It is the responsibility of all staff, students and contractors to adhere to the Code of Conduct at all times. Students are required to sign a copy of the student Code of Conduct at enrolment, a signed copy is retained by the RTO and a copy is given to the student for future reference.

BASIC PRINCIPLES

It is expected that all staff, students, contractors, and third-party providers (TAG) will work in a manner that displays:

- Respect for each other and property
- Honesty in all dealings with each other and external parties
- Respect for the privacy of others and for matters which may involve confidentiality of information, records and results
- Adherence to the laws of Australia, its States, regulations and rules by statutory bodies and the Policies and Procedures of the RTO.
- Appropriate conduct at all times.

It is expected that all staff will:

- Work to the best of their ability at all times.
- Take responsible steps to ensure there is adequate protection of confidential information, and compliance with intellectual property guidelines
- Ensure the safety of colleagues and students by reporting any matters that may threaten safety of others or that may pose a risk of damage to property of the RTO and its contractors.

- Conduct their assessment and training duties in accordance with the requirements of their positions, course delivery guides, training package requirements and any other guides and advice as appropriate for the qualification
- Deliver training fairly and courteously to all students without bias
- Provide assessment feedback in accordance with RTO policies and procedures
- Provide support and educational guidance to students in a timely and responsive manner
- Perform their work duties diligently and provide reports and feedback to manager as requested from time to time
- Be available for staff meetings, professional development and training updates
- Provide details for the accurate retention of records as required by the RTO from time to time
- Act in accordance with relevant laws and agreements that are applicable to RTO employment
- Comply with any lawful and reasonable direction given by a person who has authority to give such a direction
- Report fraud or corrupt conduct to the manager of the RTO or a relevant external authority
- Observe legislation and RTO policies in relation to any form of discrimination (refer to RTO_POL_002 Access and Equity Policy)
- Provide a safe workplace free from bullying and intimidation.

A trainer / assessor is expected to:

- Be aware of current trends and practices in the industry that they deliver
- Provide student with information about the requirements for assessment in each unit or subject and give feedback to students about their progress
- Be prepared to modify assessment in recognition of the diverse needs of learners in a manner that still meets the unit requirements.
- Refer to RTO policies and procedures for all matters with clients and stakeholders
- Keep clear and accurate records of all training and assessment and make them available to the RTO at any time
- Attend staff meetings and professional development as required
- Maintain a current knowledge of the Vocational Education and Training Industry as it applies to Trainers and Assessors
- Report any issues arising through dealings with students or stakeholders that the RTO should be aware of
- Monitor the currency of the Training Package they work with to ensure delivery is compliant

A student is expected to:

- Attend scheduled training sessions at the required time at the start of each training day and after breaks
- Inform the RTO if unable to attend and provide appropriate evidence, e.g. a medical certificate
- Inform the trainer if taking any medication that may affect alertness
- Operate machinery and equipment in a safe manner
- Respond to any reasonable instructions from a member of staff
- Only use mobile phones during breaks and keep phones on silent mode in class
- Submit assessment work in a timely manner
- Only submit work that is original (no plagiarism or other forms of academic misconduct)
- Contribute positively in class and refrain from disrupting the class
- Use appropriate language and behaviour for a training environment

- Use RTO resources in a lawful and ethical manner and for RTO purposes only
 - Respect the property and equipment provided by the RTO
 - Respect fellow students and RTO staff
 - Help maintain a clean and safe learning environment
 - Respect the rights of all students regardless of gender, race, culture, age, religion and sex
 - Comply with Work Health and Safety requirements and report any safety issues or concerns
 - Always present themselves at training dressed in an appropriate manner, i.e. neat casual clothing should be worn. Students should also be aware of their own personal hygiene
 - Wear suitable PPE if the course requires them to i.e. enclosed shoes, sun protection
- The student **MUST NOT**:
 - Attend training under the influence of drugs or alcohol
 - Offend, insult, abuse, discriminate or offend trainers or students
 - Engage in physical violence or bring weapons of any description into the training site/facilities
 - Harass or intimidate trainers or other learners
 - Eat or drink in the classroom without permission of the trainers
 - Enter areas of the campus which are unauthorised
 - Smoke/vape on campus other than in designated smoking areas

Loco Parentis

- Adult learners have legal responsibilities if there are minors (below 18 years of age) in the training group. It is not the sole responsibility of the trainer to monitor behaviour. Students are responsible for regulating their own behaviour in relation to inappropriate communication, offensive language, sexual comment, sexual images, drugs and alcohol.

PROCEDURE

BREACH OF CODE OF CONDUCT BY STUDENTS

If a student or staff member suspects a student of a breach of the code of conduct, they should report the matter to the RTO Management.

If requested by the RTO Management, an Incident Report form or Student Complaint form should be submitted as soon as possible following the incident, in addition to any other form of contact.

On receiving the report, the RTO Management should consider the report and make any enquiries necessary to establish its accuracy. If the COO - Training does not feel there is a breach of discipline, no further action is taken. If the COO - Training feels there is a breach, they should request a response to the complaint from the named person either personally or in writing.

If the COO - Training is satisfied with the response, no further action is taken. If the COO - Training is not satisfied with the response, the COO - Training will then arrange a meeting and the matter will be dealt with in person. The COO - Training may issue a verbal warning regarding the incident and expect future behaviour of the person to comply with the Code of Conduct, no further action will be taken.

Where the COO - Training believes that the matter requires more stringent action such as:

- Suspension from study on campus for a designated period records of which are stored in SMS
- Limited access to RTO facilities, if relevant

- Withdrawal of the student from activities at the RTO
- Expulsion from the course
- Cancellation of any agreement

The COO - Training will inform the CEO prior to implementing any of the above sanctions.

Where a student has received a previous verbal warning, the COO - Training may consider more stringent action.

If the RTO Management receives a complaint regarding any of the below actions, the manager must determine their validity using the information at hand and if satisfied that there is validity to the complaint, immediately inform the student of the allegations and suspend the student.

Actions warranting suspension include:

- Assault
- Alcohol and other drug consumption, sale, or possession on campus or in training
- Attending class under the influence of alcohol and other drugs (refer to Drug and Alcohol Policy)
- Malicious damage to the property of the RTO or other students
- Wilful disobedience of an instruction by a staff member
- Any wilful, dishonest, or unfair acts regarding assessments, records of study, provision of information to the RTO regarding enrolment, plagiarism, or falsification of records and information

Where the misconduct falls within the scope of the laws of the State or Commonwealth, those laws shall be followed regarding reporting the alleged offence.

These guidelines do not override any laws, regulations or conditions imposed by relevant Registering or Government bodies.

In conducting the investigation, the RTO Management will ensure that principles of natural justice and due process are followed.

Complaints and incidents shall be recorded on Skytrust.

BREACH OF CODE OF CONDUCT BY STAFF

Where a staff member has been accused of breaching the Code of Conduct the matter will be dealt in line with the HR Policy.

ENDORSEMENT / REVISION NOTES

Approved by: COO Training

Approved Date: 04/11/2024