

1.0 Policy

This policy supports RTO Standards 2015 and Standards of the 'National Code of Practice for Registration Authorities & Providers of Education & Training to Overseas Students 2018' and applies to incidents of academic misconduct by any Student enrolled a program offered by SPI but includes reference to non-academic misconduct. SPI will implement this policy in accordance with the following principles:

Each case of alleged misconduct will be dealt with in consideration of all circumstances surrounding the case, and in accordance with this policy. The outcomes of the students' work will not be finalized until after the case of alleged academic misconduct has been properly investigated and any appeal process has concluded.

The initial investigation of misconduct will be undertaken by the **trainer**. SPI is committed to operating within the following principles:

- SPI will treat all students facing allegations of misconduct fairly and with due consideration of their privacy regardless of gender, race, ethnicity, age, disability or background consistent with equal opportunity and the principles of natural justice and procedural fairness
- Any student who is the subject of an allegation of misconduct is entitled to be regarded as not having committed the act of alleged misconduct until they admit to the misconduct; or a fair and proper investigation leads to the determination that they committed the act of misconduct
- Knowledge that a student has acted in a particular way in the past will not be assumed to be evidence that they have acted in the same manner again. Such knowledge may be evidence that a Student is aware that such action constitutes misconduct, and may be relevant to any penalty imposed
- Where any work (or part of work) submitted for assessment by two or more students is deemed by an SPI assessor to be the same or substantially the same, SPI will consider this to be evidence of academic misconduct by those Students.

1.1 Academic Misconduct

It is defined as any action(s) or behavior likely to result in an unfair academic advantage, whether by unfairly advantaging a Student or disadvantaging another.

Acts of academic misconduct include, but are not limited to:

- possession of unauthorized material before, during or after an assessment or exam
- refusing to observe the instructions of an assessor during the assessment process
- sharing or publishing assignment materials
- collusion with another student
- Student substitution
- plagiarism
- cheating

Student Misconduct and Plagiarism Policy & Procedure



1.2 Plagiarism

It refers to attempts by Students to use the work, words or ideas of others without proper acknowledgement. In the context of assessment, plagiarism occurs if a Student:

- presents any phrase or extracts, word for word without using quotation marks or referencing the author
- paraphrases all or part of an author's work and presents it without referencing the author, or providing inadequate reference to the author
- copies or paraphrases all or part of another Student's work and presents it as their own presents all or part of an assessment item previously submitted for assessment in another course or unit of work.

1.3 Collusion

It is an agreement or cooperation in order to cheat or deceive for a fraudulent purpose. Collusion can apply to Students (past or present) who intentionally cooperate to gain an unfair advantage towards the achievement of a qualification, statement of attainment or credit towards these. Collusion also refers to the following practices, which are not considered allowable;

- Unauthorized and unacknowledged joint effort in an assessment
- Unauthorized and unacknowledged copying of material prepared by another person for use in an assessment
- Unauthorized and unacknowledged assistance from another person.

1.4 Non-academic Misconduct

It is any action or conduct by students relating to people or property which does not meet SPI standards. Non-academic misconduct includes but is not limited to;

- a student behaving inappropriately in an activity under the administration or supervision of SPI
- obstructing any SPI personnel or representative in the performance of their duties
- Acting dishonestly or knowingly making false or misleading representations in relation to enrolment in a SPI activity
- misusing, stealing, damaging or destroying any property of SPI, a staff member or representative, or another Student
- willfully disobeying or disregarding any order, direction or condition made by SPI Personnel or representative
- harassing or intimidating another Student or staff member based on race, ethnicity, sex, marital status, sexual preference, disability, age, religious or political convictions or for any other reason
- prejudicing the good name, academic standing or good order and government of SPI
- Failing to comply with an outcome resulting from this policy.

1.5 Penalties

It is SPI policy that the penalty or disciplinary action imposed should be appropriate to the type and severity of the misconduct. A decision of the appropriate penalty for any act of misconduct will be made by the **Admin Manager/ Training Manager/ Course Coordinator** in consultation with the **trainers** with the final decision resting with SPI's **Chief Executive Officer** (CEO), and will consider, but not be limited to review of:

- the previous record of the Student
- whether the Student admitted the misconduct and whether, in so doing, they came forward of their initiative
- whether the Student assisted or hindered the investigation process
- whether there was significant extenuating or mitigating factors
- the type of misconduct
- the number of Students affected or involved and the impact of the misconduct on the operations of SPI and other Students
- Any benefit derived from the misconduct by the Student.

The decision of the appeal to the SPI, the **CEO** and the **Admin Manager/ Training Manager/ Course Coordinator** shall be final and no appeals of this decision will be made.

2.0 Procedures

2.1 Academic Misconduct

Where academic misconduct is proven, the following penalties may apply:

- a requirement to undertake further or supplementary assessments with the associated costs borne by the Student
- the exclusion of the Student from SPI programs either permanently or for a period of time
- results withheld from the Student
- any other penalty as determined by SPI the **Admin Manager** in consultation with the **trainers**

2.2 Non-academic Misconduct

Where non-academic misconduct is proven penalties including, but not limited to the following may apply:

- the Student is required to apologize formally to any aggrieved party where appropriate
- the Student undertakes some form of remediation, such as counseling
- the Student provides full reimbursement of the cost of any damage caused to SPI property
- the Student is expelled (permanent exclusion) from SPI programs
- the Student may have their membership suspended (SPI members)
- Any such other penalty or action considered appropriate including referral to law enforcement agencies.

2.3 Notification

Students who are subject to disciplinary decisions will be notified in writing of their misconduct (where appropriate) and the actions that will be taken by SPI. SPI will notify participants of the disciplinary outcome within a reasonable time of the incident being raised.

2.4 Appeals Process

Appeals against the disciplinary decision must be made within 10 working days of receiving the disciplinary decision notification. Disciplinary appeals that are submitted outside of this time will not be considered.

The written appeal must state the grounds on which the appeal is to be made, and must contain an explanation of why the student believes the original disciplinary recommendation/decision is inappropriate.

SPI's **CEO** and **Admin Manager/ Training Manger/ Course Coordinator** will consider the appeal by reviewing the initial disciplinary decision and the Student's written submission and may discuss the matter directly with the Student and/or his/her representative.

Individuals involved may also be contacted, for further information as required. The Student will be informed of the outcome of the disciplinary appeal within 10 working days of its lodgment as identified by the date of receipt by SPI.

Appendix A: Student Code of Conduct

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Student Code of Conduct

The purpose of the Student Code of Conduct is to ensure that there is a peaceful and conducive study and work environment at St Peter Institute(SPI) for all students and staff. This Student Code of Conduct applies to all students of (SPI), across all courses.

Student rights:

All students have the right to:

- Be treated fairly and with respect by College staff and other students
- Learn in an environment free of discrimination and harassment
- Learn in a supportive and stimulating environment in which to pursue their goals
- Have access to counselling if desired or required
- Privacy concerning records that contain personal information, subject to statutory requirements
- Be given information about assessment procedures at the beginning of the subject/competency/module and progressive results as they occur
- Lodge a complaint/appeal without fear of retaliation or victimization

Student responsibilities:

All students have a responsibility to:

- Treat other students and SPI staff with respect and fairness.
- Follow any reasonable direction from a staff of SPI.
- Refrain from swearing, drinking and eating in classrooms and other learning areas
- Behave responsibly by not littering, harassing fellow students or staff, damaging, stealing, modifying or misusing SPI or other student's property.
- Behave responsibly by not being under the influence of drugs and alcohol.
- Refrain from using mobile phones, iPad, tablets or any other electronic devices that may disrupt classes.
- Attend scheduled classes
- Do all assessment tasks and examinations honestly, and not engage in plagiarism, and/or assessment dishonesty?
- Follow normal safety practices, including wearing approved clothing and protective equipment and following both written and verbal directions given by SPI staff.
- Not to behave in a way that would offend, embarrass or threaten others.
- Comply with all lawful regulations, rules or procedures of that pertain to them.

Breach of Conduct

A student breach of conduct occurs when a student behaves in a manner described below:

- Assaults, attempts to assault or threatens a person on at SPI premises.
- Acts contrary to Equal Opportunity practices of SPI which is committed to the prevention and elimination of discrimination on the grounds of:

Student Misconduct and Plagiarism Policy & Procedure



- Age;
 - Impairment;
 - Industrial activity;
 - Lawful sexual activity;
 - Marital status;
 - Physical features;
 - Political belief or activity;
 - Pregnancy;
 - Race;
 - Religious belief or activity;
 - Sex;
 - Status as a parent or a carer;
 - Personal association (whether as a relative or otherwise) with a person who is identified by reference to any of the above attributes.
- Disobeys or disregards any lawful direction given by a staff of SPI
 - Acts dishonestly or unfairly in connection with an examination, test, assignment or other means of assessment conducted by SPI
 - Deliberately obstructs any SPI teaching activity, examination or meeting
 - Engages in any conduct or activity prejudicial to the management and good governance of SPI
 - Wilfully damages or wrongfully deals with any SPI property.
 - Attends SPI whilst under the influence of alcohol or affected by drugs
 - Carries or uses such items as firearms, knives, syringes, etc. as a weapon.
 - Fails by or within the agreed required date or period, to pay any fee or charge payable to SPI
 - Fails to comply with WHS/OHS regulations or wilfully places another person in a position of risk or danger
 - Constantly interrupts class time through the use or presence of mobile phones and other technological devices
 - Uses abusive language.

If you are found to have breached the Code of Conduct, it will result to disciplinary action.

- You will meet with SPI Officers and discuss the alleged breach of conduct. If there is sufficient ground, you will receive a verbal warning and the disciplinary actions to be imposed.
- Should there be future incident of breach of conduct, you will receive a warning letter.
- Depending on the seriousness of the breach, it may result to termination of your course. Refunds may not also be provided.
- If you are not happy with the decision, you may access the Complaints and Appeals Policy and Procedure.
- For more information, you may approach SPI Student Support Officer (SSO)

Let's work together to ensure that SPI environment is friendly and a safe place for all people to attend.