

## **18. Candidate discipline policy and procedure**

### **Purpose:**

This policy and procedure is to be used by Culinary Solutions Australia Pty Ltd. where a candidate continually breaches company rules or where a single incident is a serious breach of discipline.

### **Scope:**

This policy covers all candidates enrolled with Culinary Solutions Australia Pty Ltd.

### **Candidates have a right to:**

- Be treated fairly and with respect
- Pursue their assessment activities in a supportive and stimulating environment
- Are assessed in an environment free of discrimination and harassment
- Privacy of their personal information and student records held by Culinary Solutions Australia Pty Ltd.
- Lodge a complaint without fear of victimisation or reprisal.

### **Candidate responsibilities:**

- Treat other candidates and company staff with respect and fairness
- Follow any reasonable direction from company staff
- Not engage in plagiarism, collusion or cheating in any assessment activity
- Be punctual and regular in attendance
- Submit assessment activities by the due date or seek approval to extend the due date
- Refrain from using mobile phones in classrooms
- Return company equipment/materials on time
- Observe normal safety practices; e.g. wear approved clothing, footwear and protective equipment.
- Refrain from swearing
- Refrain from smoking in company buildings and designated areas
- Behave in a responsible manner by not harassing fellow candidates or company staff, damaging or misusing property, being under the influence of alcohol or drugs or engaging in any other behaviour which could offend, embarrass or threaten others

**Breach of discipline:**

Breach of discipline means any conduct that impairs the reasonable freedom of other persons to pursue their learning or work.

A candidate commits a breach of discipline if he/she:

- Assaults a person on company premises
- Unlawfully removes, damages or uses any property of another person or the company
- Obstructs staff of Culinary Solutions Australia Pty Ltd. in the performance of their duties
- Obstructs the assessment of a group or an assessment activity
- Commits or engages in any dishonest or unfair act in relation to an assessment activity
- Wilfully disobeys or disregards any lawful order or direction given by a member of staff
- Enters part of the company's premises when directed not to by a member of staff
- Fails to leave part of the company's premises when directed to by a member of staff
- Fails to pay financial commitments to Culinary Solutions Australia Pty Ltd.
- Enters the company's premises whilst under the influence of alcohol or a prohibited drug
- Engages in any unlawful activity on company premises such as using, possessing or supplying any prohibited drug, substance or weapon
- Discriminates against a person on the grounds of the person's age, race, sex, homosexuality, transgender, marital status, physical or intellectual disability or religion
- Incites hatred, serious contempt, or severe ridicule of a person or group of persons on the grounds of the person's age, race, sex, homosexuality, transgender, marital status, physical or intellectual disability or religion of the person or members of the group

**Policy:**

1. Culinary Solutions Australia Pty Ltd. is committed to the principle of ensuring that every candidate has the right to participate an assessment program, free of inappropriate behaviour or language that may impair the learning processes or the wellbeing of individuals

2. Both staff and candidates have an interest and responsibility to prevent minor behavioural problems from becoming larger ones
3. Attempts are to be made to solve behavioural problems of candidates through discussion and mediation before the provision of more formal procedures are invoked
4. Culinary Solutions Australia Pty Ltd Training Manager may apply any of the following penalties where he/she is satisfied a breach of discipline has been committed and the penalty matches the seriousness of the breach
  - A verbal or written reprimand
  - A requirement to attend counselling at a specified time and place
  - Payment compensation by candidate for damages or loss of resources
  - Restitution of property removed or damaged
  - Use of specified equipment only in accordance with certain conditions (for a set period)
  - Exclusion from Culinary Solutions Australia Pty Ltd.
  - Issue of qualifications delayed until student has complied with order
5. The candidate may appeal the penalty under Culinary Solutions Australia Pty Ltd's Complaints and Appeals Policy.

**Procedure:**

1. A staff member who believes that a breach of discipline has occurred should report the breach to Culinary Solutions Australia Pty Ltd's Training Manager immediately.
2. If appropriate, the candidate can be ordered off the company's premises on which the day of the breach takes place.
3. The staff member reports the breach to Culinary Solutions Australia Pty Ltd's Training Manager with the following information:
  - Candidate name and program
  - Description of the breach of discipline
  - Damage or inconvenience caused by the breach
  - Level of cooperation given by the candidate
  - Witnesses to the breach
  - Evidence available to support the claim of the breach
4. Within five days of the report the Training manager will speak to the candidate privately in the presence of the relevant staff member if possible an, if not, in the presence of a third party chosen by the Training manager. The candidate will be cautioned and advised of the

possible consequences and the grounds for such a report. Confidentiality of the meeting will be maintained.

5. Any penalty to be imposed will be communicated to the candidate in writing within 10 days of the above meeting. The candidate must also be advised of the right to appeal the penalty under Culinary Solutions Australia Pty Ltd's Complaints and Appeals Policy.

6. Actions taken under this policy will be documented and archived for audit purposes.

7. Culinary Solutions Australia Pty Ltd's Training Manager will be the person responsible for the implementation and maintenance of the policy.