



Rationale

The College has developed this Policy to ensure that:

- Students are treated fairly, consistently and have an opportunity to provide a response.
- Investigations are carried out in line with the requirements of the Code of Practice.

This policy should be read in conjunction with the Contract of Enrolment, The Education (Pastoral Care of Tertiary and International Learners) Code of Practice 2021 and the Education Act 1989.

Purpose

The following is the college's current disciplinary policy for dealing with breaches of the students Contract of Enrolment (the Agreement). This is not intended to restrict the college's general power of discipline and this policy may be changed from time to time at the discretion of the college.

Overview

- Except in serious situations where immediate termination of the agreement is necessary, or where the breach does not call for any formal response other than a warning, the college will try, where appropriate, to follow a two-stage disciplinary process.
- In Stage One, the college will investigate and decide the facts, and will reach a conclusion on what happened and whether it amounts to a breach of the Agreement.
- In Stage Two, if the college has determined that a breach has occurred, the college will consider the appropriate response to that breach, up to and including termination of the agreement.
- The student will have an opportunity to provide a response to the alleged breach that the college is investigating (the Allegation) and any proposed disciplinary action that the college is considering taking (the Proposed Action).
- This policy does not limit the college's power to take appropriate disciplinary action urgently and without following this process if this is necessary having regard to the seriousness of the breach.
- This policy also does not limit the college's power to suspend the student for the duration of the disciplinary process where suspension is considered necessary for the safety or education of any person.

General Policy

When the college is conducting a disciplinary process involving the student it will aim to provide the student with the following:

- a. A written summary of the Allegation or the Proposed Action;
- b. An opportunity to respond to the Allegation or the Proposed Action, either in person or in writing or both, at the choice of the student;
- c. An opportunity to consider the Allegation or the Proposed Action for a reasonable period of time (keeping in mind the seriousness of the Allegation or the Proposed Action) before giving a response;
- d. An opportunity to contact his or her Parent before giving a response, unless the delay caused by contacting that person is unreasonable keeping in mind the seriousness of the Allegation or Proposed Action;
- e. An opportunity to have an independent support person of his or her choice present at any meeting relating to the disciplinary process;
- f. An opportunity to meet with that support person in private at any stage during the disciplinary process;

- g. An opportunity to have a translator present (or otherwise enable the student to participate in the process in his or her own language) during any meeting or process if the college or the student considers that a language barrier means that a translator is required; and a copy of this policy setting out the rights which the student has when engaging in the disciplinary process.

Review Schedule

Annually

	NEW/REVIEWED
Initial table of document	September 2020
Annually thereafter	October 2021

Board Chair	
Name	Lauren Albrey
Date	26 October 2021