



ABN: 11 009772 481 trading as

The Performing Arts Conservatory

RTO NO: 30372

Vocational Education Code of Practice Agreement 'Student'

Print Student Name

Print Student Number

____/____/____.
Date

1. PURPOSE

The purpose of this educational code of practice agreement is to inform all incoming and continuing TPAC Educational staffers or students of all levels of the professional conduct expectations and requirements imposed in relation to their employment with regards to the fair and moral interactive and professional culture components that the employer expects them to display towards all students, visitors, guests and other staff members whether educational or administrative, visiting consultants or contractors or special guest speakers on and off campus and on or off the job where applicable. This code seeks to bring together the major elements of policy that relate to the same into one document for ease of referencing and ease of future improvement.

Failure to abide by any of the elements within this agreement after commencement of employment at TPAC may result in immediate cessation of employment or disciplinary action.

All incoming employees sign at the end of this document to signify they have become familiar with its contents in its entirety and that they clearly agree to abide by all the expectations held within at the risk of potential dismissal or sanctions in the event of any breach.

2. SCOPE

The code of practice agreement applies to the following, whilst associated with the Performing Arts Conservatory, or within a minimum of 12 months of association with the Performing Arts Conservatory after permanent or temporary exit.

- All Academic/Teaching Staff
- All Administrative Staff
- All External Consultants
- All Students

3. ASSOCIATED CONSERVATORY DOCUMENTS

- a. Relevant Policy Documents pertaining to staff & student conduct and behavior or processes pertaining thereto including the Social Media policy.
- b. Student Orientation Documentation that ties student behavior expectation to staff behavior expectations (ie. Gross misconduct guidelines)
- c. Staff contracts that tie staff behavioural expectations to student behavioural expectations (ie. Gross misconduct guidelines).

4. REFERENCES [Below, list the legal and other relevant documents that affect this policy. To delete this text, click it and then press Delete.]

- a. Higher Education Standards Framework 2011 – F2013C00169
- b. Fair Work Amendment (Anti-Bullying) Regulation 2013 – F2013L02094

5. DEFINITIONS

Term: Social Media

Definition: Any interaction among people in which they create, share and/or exchange information and ideas in virtual communities and networks (for example, facebook, twitter etc.)

Term: External Consultants

Definition: Any person associated in either a paid or voluntary position with The Actors Conservatory.

Term: Disciplinary Action

Definition: Includes both Gross and Minor Misconduct, depending on the severity of the breach in policy.

Term: Inappropriate Information

Definition: Includes personal information, course content, inappropriate interactions for example bullying, and information relating to the policies of The Actors Conservatory

Term: Minor Misconduct

Definition: Refer further

Term: Gross Misconduct

Definition: Refer further

6. RESPONSIBILITIES AND ACCOUNTABILITY

The CEO as sole director of Performing Arts Education Pty Ltd and Managing Director of Learning of TPAC's vocational education area of responsibility has ultimate responsibility for approving, updating and committing to, all TPAC Code of Practice documentation and for setting and articulating the Conservatory's attitudes in all Vocational Education matters. In reviewing and amending the documentation, the CEO must consider the feedback provided to them by the Directors of Learning, Administration management and other relevant staff and may consider where appropriate (ie. where Higher Education and Vocational interests intersect) the feedback from the voluntary participants on both the TPAC Governance and Academic boards whose regular precinct of responsibility is Higher Education only.

a. Management

- 1) Ensure the code is implemented throughout the organization
- 2) Ensure all staff and external consultants understand the code
- 3) Ensure all students understand the presence and intent of the code

b. Policy Officials: CEO (Managing Director of Learning) and Directors of Learning

- 1) Develops Code of Conduct elements over time to be current and valid
- 2) Coordinates and implements adherence to the code through organization's departments
- 3) Oversees training in relation to familiarity with the code requirements
- 4) Receives and processes complaints in relation to the code of conduct
- 5) Ensures retention of Code of Conduct variations to, complaints, and investigative materials to meet compliance requirements.

TPAC CODE OF PRACTICE

Scope: Education Staff/Students/Administration Staff

Preamble

As a Registered Training Organisation (RTO), Performing Arts Education Pty Ltd trading as The Performing Arts Conservatory has agreed to operate within the Principles and Standards of the Australian Recognition Framework (ARF). This includes a commitment to recognise training qualifications issued by other Registered Training Organisations.

(POL 001 Principles for Registration – POL 002 Principles for Mutual Recognition)

Core Values & Institutional Motto

The Performing Arts Conservatory (TPAC) is dedicated to a list of 'core values'. As an institution we aspire our behaviour on all levels including the conduct of all staff to embody these core values at all times. They are:

Excellence
Integrity
Industry Relevance
Inspiration
Innovation
Challenge

TPAC is likewise dedicated to our institutional motto set down below and the lifetime goal it reflects. As an institution we aspire our behaviour on all levels including the conduct of all staff to all students to inspire support for the essence of the motto as we educate entrants to the next performing arts generation.

FACIENDO ARTES NOSTRA MELIUS PER

(make our world better through performing arts)

Recognition of TPAC Policies & Procedures

While some specific TPAC P&P documentation is referred to within the body of this document, this document embraces and relates to 'all' current TPAC policy and procedure documents and recognises the right of TPAC to alter those same in accordance with any legitimate future need.

Legislative Requirements

Performing Arts Education Pty Ltd will meet all legislative requirements of State and Federal Governments. In particular, Workplace Health & Safety, Workplace Relations and Vocational Placement Standards will be met at all times.

(POL 003 Legislative Compliance)

Access and Equity

All persons will be treated fairly and in an ethical and responsible manner and consistent with the requirements of the course or National Training Package. Our Access and Equity Policy ensures that selection decisions comply with equal opportunity legislation. Adjustments for special needs will be individually assessed and we will endeavour to make adjustments for achievement of positive outcomes. Concerns relating to access and equity should be referred to the Director.

(POL 004 Access & Equity)

Quality Management Focus

Performing Arts Education Pty Ltd has a commitment to providing a quality service and a focus on continuous improvement. We value feedback from trainees, staff and employers for incorporation into future programs.

(PRO 001 Monitor & Review – PRO 004 Continuous Improvement - PRO 008 Assessment)

Client Service

We have sound management practices to ensure effective client service. In particular we have client service standards to ensure timely issue of learner assessment results and qualifications. These will be appropriate to competence achieved and issued in accordance with national guidelines. Our quality focus includes a Recognition of Prior Learning Policy, Mutual Recognition of qualifications issued by other Registered Training Organisations, a fair and equitable Refund Policy, a Grievance and Appeal Policy, an Access and Equity Policy and student welfare and guidance services. Where necessary, arrangements will be made for those clients requiring literacy and/or numeracy support programs. We will take every opportunity to ensure that this information is disseminated, understood and valued by personnel and clients.

Our learner information will ensure that all fees and charges are known to learners before enrolment, that course content and assessment procedures are explained and that vocational outcomes are outlined. This information will be reviewed at orientation.

Management and Administration

Performing Arts Education Pty Ltd has policies and management strategies that ensure sound financial and administrative practices. Management guarantees the organisation's sound financial position and safeguards trainee fees until used for training/assessment. We have a Refund Policy that is fair and equitable. Client records are managed securely and confidentially and are available for client perusal (of their own records) on request. Performing Arts Education Pty Ltd has adequate insurance policies.

(POL 007 Refund - POL 008 Client Fee Administration – PRO 007 Client Fee Administration)

Marketing and Advertising

Performing Arts Education Pty Ltd markets its vocational education and training products with integrity, accuracy and professionalism, avoiding vague and ambiguous statements. In the provision of information, no false or misleading comparisons are drawn with any other training organisation or training product.

(POL 009 Advertising)

Training and Assessment Standards

Performing Arts Education Pty Ltd has personnel with appropriate qualifications and experience to deliver the training and facilitate the assessment relevant to the training products offered. Assessment will meet the National Assessment Principles (including Recognition of Prior Learning and Credit Transfer). Adequate facilities, equipment and training materials will be utilised to ensure the learning environment is conducive to the success of trainees.

(PRO 009 Recruitment - PRO 011 Recognition of Prior Learning)

Grievances and Appeals related to Assessments & Behavioural Sanctions

Performing Arts Education Pty Ltd strives not to have any grievances or appeals. Should a grievance or appeal occur, the situation will be dealt with confidentially. Any grievance or appeal on an assessment decision or behavioural issue will be mediated fairly through an internal process in the first instance. Our procedures specify the processes to be used in internal appeal processes including timeframes for closure. In the event a student wishes to pursue an issue beyond an internal appeal PAE is linked according to VET Fee Help guidelines with a recognised, impartial nationally ranked external appeals body who can conduct external processes on behalf of any party applying. At such a point however fees and charges do apply and are covered by the separate parties equally at their own cost. A grievance is a complaint about an item or person which is perceived as not fulfilling expectations. Appeal relate specifically 'assessment decisions' being challenged and the person making the appeal wishes a decision to be reconsidered.

(PRO 13 Grievance and Appeals Procedure)

Discipline

Performing Arts Education Pty Ltd believes that as adult learners, clients should have no need of a discipline 'procedure'. However should there be a need for a disciplinary 'process' in the event of minor behavioural infractions r this would take the form of an initial counselling session with timely follow up counselling (within 4-6 weeks) if required to ensure conduct issues are and remain rectified. This describe process however may not be followed in the event 'legislative compliance' was at risk as a result of the misconduct or in the case of an incidence of Gross Misconduct (ie. refer further for definition parameters of Gross Misconduct). Should there be a breach of legislative compliance or of a Gross Misconduct, then the CEO reserves the right, for campus safety, to remove a person from the program and campus grounds immediately pending immediate official investigation into the incident until all processes related to the same are completed. In the event a person suspected of a

breach of gross misconduct is found to be genuinely in breach and is permanently withdrawn, such withdrawal would include an inability to return to the campus permanently or to contact any continuing staff or students except the CEO and then only in relation to the matter in question if necessary.

Gross Misconduct – All Staff & Students

Performing Arts Education Pty Ltd identifies certain examples of Instructor/Assessor and Administrative Staff behaviour and/or Student behaviour as constituting a breach of 'Gross Misconduct' in relation to interactions all persons studying, working or visiting on campus. All entering TPAC staffers whether educational or otherwise agree, and all entering students, by signing a TPAC COP Agreement such as this document, acknowledge in so doing that they understand the guidelines of what constitutes an incidence of Gross Misconduct as set out below. They likewise agree by signing that they understand that, in the event of being identified as a person being in breach of any TPAC guidelines in relation to Gross Misconduct, for the safety of all concerned, particularly the student body, they will be asked, when so identified, to cease work or study immediately and remove themselves from the premises completely and permanently without the future ability to return unless with the express written permission to return from the CEO is offered in the case of an official enquiry/appeal/mediation process, absolving the same in relation to the matter. In any such Gross Misconduct enquiry cases all subsequent enquiries after an initial interview with the primary party/ies concerned may be conducted with the affected staff member or student remotely or off-site if necessary for the safety of all, until the issue is completely resolved one way or another including all appeal processes and mediation processes pertaining to the same.

Difference between Minor Misconduct and Gross Misconduct.

In a case of student or staff Gross Misconduct the Conservatory's reaction protocols that follow are completely different than those in the case of a breach of Minor Misconduct.

A breach of behaviour severe enough to be classified as Gross Misconduct carries in reaction to it a course of action and response that must put the overall safety and group peace of mind of all student and staffers still working on campus (including legitimate offsite examples of same) ahead of the immediate needs of the party who appears to be in breach, where as the protocols followed in the case of any minor misconduct breach or behavioural critique, focus first and foremost on just helping the staff member or student who appears to be in breach to have a chance on campus to have their behaviour monitored with a view to generating a solution and agreement that will see a timely and permanent improvement in the behaviour result.

In the case of a breach of Minor Misconduct for instance, a student or staffer would attend an on-campus counselling session by the appropriate supervisor and be given a 'note' in relation to the behaviour. In the event of any second breach of minor misconduct the person in question would be then given a 'warning' by the appropriate supervisor who may be a higher ranked authority. In the event of a third breach they would be withdrawn from their study

group/employment and could only resume in the event of a successful internal appeal.

As a nationally recognized Registered Training Organization The Performing Arts Conservatory needs all newly recruited and continuing staffers and entering students to understand that according to its policies and procedures relating to the interactive behaviour of staff and students on and off campus (i.e. between students and students, students and all admin or educational staff members) the Conservatory strictly enforces a zero tolerance policy in relation to incidents of behavioural gross miss-conduct.

Examples of Gross Misconduct may fall under (but are not restricted to only) the following categories. It will be up to the discretion of the CEO and a panel of Directors of Learning to determine if a breach of Gross Misconduct has been effected where it does not fall specifically under any heading listed below:

- **THREATENING/BULLYING 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.
- **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.
- **SEXUALLY HARRASSING 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.
- **THEFT ON CAMPUS OF ANY KIND** (including Plagiarism)
- **INTOXICATION ON CAMPUS OF ANY KIND** (alcohol, drug induced or otherwise – on campus reference includes all off campus sites utilized by TPAC in the course of all its commercial delivery and assessment activities ie. Live theatre venues, Music Recording facilities, identified off campus sites for filming student or conservatory projects, graduations etc and the like)
- **ON CAMPUS SELLING or SOLICITATION OF SALES OF ANY ILLEGAL SUBSTANCES OR PRODUCTS**
- **ON CAMPUS SELLING OF ANY LEGAL SUBSTANCES OR PRODUCTS** without prior permission in writing by the CEO
- **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, STAFFERS OR MEMBERS OF THE GENERAL PUBLIC, THAT ARE GENERATED BY A STUDENT or STAFFER THAT RELATE TO THEIR OPINIONS or GRIEVANCES TOWARD OTHER STUDENTS, STAFFERS OR ANY CONSERVATORY PROTOCOLS, PRACTICES, METHODS OR SYSTEMS OF OPERATION.**
- **SOLICITATION FOR ANY KIND OF PAID OR UNPAID WORK** on or off campus either - verbal, texted, web sourced from any: STUDENT TO STUDENT, STAFFER TO STUDENT, or STUDENT TO STAFFER prior to a student being fully and permanently withdrawn or graduated whether the work is related to performing arts or not. Any student or staffer who enters study or employ at TPAC knowingly in an existing working relationship of this nature with any student or staffer - who does not declare this conflict prior to entry or employment - is likewise deemed to be in breach of the gross misconduct guidelines.
- **SOCIAL RELATIONSHIPS OR SOLICITATIONS OF ANY KIND BETWEEN ANY TEACHING OR ADMINISTRATION STAFF AND ENROLLED STUDENTS IS PROHIBITED.** IF A STUDENT IS NOT 'PERMANENTLY' WITHDRAWN FROM TPAC OR COMPLETELY GRADUATED, SOCIAL INTERACTIONS ON OR OFF CAMPUS BETWEEN STUDENTS AND STAFFERS 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 STAFFERS ARE EXPECTED TO ENSURE ALL CONTACT DURING THE FUNCTION IS KEPT AT ARMS LENGTH AND THAT THE CONTACT DECISTS COMPLETELY AT THE FUNCTIONS END. IT IS IN THE SAME MANNER GROSS MISCONDUCT FOR ANY STAFFER TO SEEK OR RECEIVE THE PRIVATE CONTACT DETAILS OF ANY CURRENT STUDENT WITHOUT THE PRIOR WRITTEN PERMISSION OF THE CEO AND

APPROPRIATE DIRECTOR OF LEARNING AND IN THE EVENT OF SUCH PERMISSION BEING TEMPORARILY GIVEN FOR THE SAKE OF COLLABORATION FOR ANY IDENTIFIED ASSESSABLE PROJECT ETC, SUCH CONTACT DETAILS SHALL BE IMMEDIATELY ERASED FROM THE PHONE AND/OR COMPUTER MEMORY OF THE STAFFER AND CANNOT BE USED BY THEM TO CONTACT THE STUDENT AGAIN UNLESS PERMISSION IS AGAIN SOUGHT SEPERATELY.

- **ANY CONDUCT THAT WOULD GENERATE DISREPUTE TOWARD ANY TPAC STAFFER OR STUDENT OR GUEST OR THE INSTITUTION IN THE GREATER PROFESSIONAL SENSE.**
- **UNREPORTED OBSERVANCES OF GROSS MISCONDUCT OF ANY KIND -CONSTITUTE GROSS MISCONDUCT ON BEHALF OF THE PARTY WHO FAILS TO REPORT THE SAME.**

Policies & Procedures remain subject to change: The Performing Arts Conservatory is committed to continual improvement & reserves the right to update, change or modify their Policies and Procedures at any time within the framework of governmental rules and restrictions and within reason. Students and staff are subject to all and any updates, changes or modifications as they occur. Changes to the same will be posted to all staff and students but it is the responsibility of the student and staff member to keep abreast of the news as it is disseminated. All Policies and Procedures are available for perusal during standard hours of operation to all staff and students, education specific P&P's are posted on the website for public perusal.

Application of this Agreement to Higher Education Level Transitionees.

Until such time as a specific Higher Education version of this agreement for Higher Educational staff and students exists in final approval form endorsed for application by both the TPAC Governance and Academic Boards, and until that new agreement is available for signing for any staff or students transisiton from the Vocational Level of study or employment within TPAC this agreement will stand in lieu of the same and remain enforceable until a new Higher Education specific version is signed.

Student Declaration

I the undersigned, identified on the front page of this document, declare that I have read & understand this agreements contents in their entirety. I agree to abide by these conditions during the entire term of my employment at TPAC and in accordance with all written contract conditions.

Print Name: _____ .

Signed: _____ **Date:** / / .

WITNESS for TPAC.

Print Name: _____ .

Title: _____ .

Signed: _____ **Date:** / / .