

STUDENT MISCONDUCT POLICY AND PROCEDURE

1. Purpose

DNA Kingston Training is committed to maintaining the highest level of training standards through the preservation of academic integrity. The purpose of this policy is to define academic and non-academic misconduct and to provide fair, equitable and effective approaches for investigating allegations of student misconduct and outline the potential consequences should an allegation be proven.

2. Scope

This policy is applicable to all students, and to students' conduct at all campuses, premises or facilities used or occupied by DNA Kingston Training. Any classes, industry work placements, activities or events conducted as part of a course of study with DNA Kingston Training or conducted under DNA Kingston Training are also covered by this policy.

3. Policy Statement

The intention of this policy is to create and maintain a safe, comfortable and enjoyable study environment for all students and staff. This policy should be read in conjunction with the Student Code of Conduct and both should be available to all staff, agents and students.

Students are informed in their Letter of Offer and Acceptance and during orientation about our Misconduct policy. All assessment tasks include an Assessment Agreement, which is read and signed off by the student to acknowledge that they have been fully advised about academic misconduct and the potential consequences.

3.1 Academic Misconduct

Academic misconduct and actions demonstrating a lack of academic integrity include but are not limited to the following:

3.1.1 Cheating

In a study environment, cheating means to act dishonestly in any way where a student implies that the work presented as evidence of their understanding of and ability in the component of study is theirs. DNA Kingston Training will not tolerate cheating (including plagiarism). It is cheating to:

- a. Submit someone else's work as your own (with or without that person's permission)
- b. Use any part of someone else's work without the proper acknowledgement
- c. Allow someone else to submit your work as their own
- d. Copy sentences or paragraphs from one or more sources such as internet or training notes without clearly indicating their origin
- e. Have several people write up one activity or exercise and submit multiple copies, all represented as individual work

3.1.2 Plagiarism

This is the copying of another person's work without appropriate acknowledgement or reference, and it is a form of cheating.

3.1.3 Academic fraud

This is having someone else sit a test or other assessment requirement in the student's place, falsely representing themselves as the student.

3.1.4 Inappropriate use of Artificial Intelligence (AI) or other similar services / tools in assessments

Whilst most of the student use of AI platforms like **ChatGPT** has been for increased learning and understanding, there are cases where these platforms are being used inappropriately which may result in the requirement for investigative processes to determine if plagiarism and/or collusion has taken place. It is considered plagiarism and/or collusion if there is:

- a. Failure to acknowledge the use of AI or other support services/ tools in the development of your submission.
- b. Failure to use appropriate referencing in the use of AI or other support services/ tools in your submission.
- c. Plagiarism in any form using AI or other support services/ tools, examples of plagiarism include but are not limited to:
 - i. Copying of sentences or paragraphs from one or more sources which are the work or data of other persons.
 - ii. Closely paraphrasing sentences, paragraphs, or themes.
 - iii. Using another person's ideas, work, or research data without due acknowledgment.
 - iv. Submitting work which has been produced for you by someone else.
 - v. Copying or submitting computer files in whole or in part without indicating their origin. **This includes material found on the internet and mobile / desktop applications, including artificial intelligence (AI) sources.**
 - vi. Submitting work previously assessed elsewhere; and / or
 - vii. In the case of collaborative projects, falsely representing the individual, contributions of the collaborating students.

3.2 Prevention of Academic Misconduct

DNA Kingston Training will mitigate academic misconduct through the following means:

- a. Students are advised of the policy at the commencement of each course and are reminded at the start of each term;
- b. Students are also advised of the consequences of Academic Misconduct and its management;

- c. This advice and all information provided to new staff/contractors and students is current and consistent with this policy;
- d. All advice is provided in a clear and easy to understand format;
- e. Advice about good practices such as referencing and citations are given at the beginning of a course and in the Student Handbook;
- f. Where electronic submission occurs, the use of software programs to detect plagiarism are strongly advised. If in use, the students will be made aware of such software being in use; and
- g. Students are encouraged to seek clarification and advice from lecturers and student support without penalty or prejudice if uncertain whether they are committing academic misconduct.

3.3 Dealing with allegations of Academic Misconduct

3.3.1 DNA Kingston Training Responsibility

- a. Any allegation presented will be reviewed by Trainer to ascertain that there is a potential case of academic misconduct. All such reviews, correspondence and decisions are completely confidential.
- b. Where confirmed or undetermined, a Misconduct Review Interview between the student and Campus Manager will be organised at the earliest possible convenience. The trainer/ assessor may also be included if pertinent, at the discretion of Campus Manager.
- c. During the Misconduct Review Interview the student will be presented with the allegation, the reason for the allegation and any evidence. The student will have the opportunity to present their side and give any possible explanation or clarification of the issue.
- d. The Misconduct Review Interview notification, reasons and any decisions or outcomes will be, recorded in aXcelerate and retained in the student's file and sent to the student in writing. These records may be accessed by the student or DNA Kingston Training in case of complaint or appeal arising from the allegation and subsequent review and repercussions.

3.3.2 Student Responsibility

- a. Students should not give others access to their assignments, written work, USB drives or notes. DNA Kingston Training will discipline those who intentionally give other students access to their own work, in the same way that those who are found guilty of plagiarism are disciplined.

- b. If a student has reason to believe that their work has been copied the matter should be reported to the Trainer immediately.

3.4 Consequences of Academic Misconduct

3.4.1 Should the student be found to have committed academic misconduct, dependent upon the seriousness any of the following may occur, either singularly or in any combination:

- a. The assessment will not be assessed.
- b. A written warning, outlining the occurrence and any evidence, which shall be sent to the student and be retained in their student file or AXcelerate for consideration should any further occurrences take place;
- c. Information session about academic integrity and acceptable practices, such as referencing and use of sources;
- d. Depending on the seriousness of the case:
 - cheating may lead to the student having to resubmit the work;
 - the student having to do alternative assessment tasks;
 - An NYC result for the assessment in question
 - the student may not be allowed to complete the unit (an NYC result will be issued for the whole unit), or
 - the student may be suspended or permanently excluded from DNA Kingston Training.

Notes:

- i. In all cases, students have the right to access DNA Kingston Training's complaints and appeals process within 20 working days.
- i. A result of NYC for the unit of competency, will negatively impact the student's academic progress and may may impact upon the student's ability to complete their course within the set duration of their CoE.
- ii. Suspension from the course will negatively impact the student's academic progress and may may impact upon the student's ability to complete their course within the set duration of their CoE.
- iii. Cancellation of Enrolment, particularly for wilful, serious and/or repeated misconduct the enrolment is cancelled. This may affect the student's visa. Students should seek advice from the Department of Home Affairs on the potential impact on their visa.

3.4.2 Where DNA Kingston Training decides to suspend or cancel a student's enrolment, this will be done in accordance with the Deferral, Suspension Cancellation Policy.

3.5 Non-Academic Misconduct

3.5.1 Students are informed in their Student Handbook and during induction about our Code of Conduct, which details the expected and accepted behaviours of students.

3.5.2 Non-academic misconduct and unacceptable behaviours include but are not limited to the following:

- a. Intentional breaches of Commonwealth or State law;
- b. Disrespectful, threatening or abusive behaviour towards other students, staff or members of the public;
- c. Endangering the health and/or safety of self or others;
- d. Violence;
- e. Damage or destruction of property;
- f. Theft of property of DNA Kingston Training;
- g. Theft of property of staff, other students or any other person (such as during industry work placement);
- h. Carrying of weapons;
- i. Possession of illegal, banned or dangerous items and/or substances;
- j. Being intoxicated or under the influence of drugs or alcohol;
- k. Refusing to identify themselves truthfully or misrepresenting their identity;
- l. Smoking indoors or within the premises or facilities;
- m. Disobeying trainer assessors, continuously interrupting the trainer or refusing to participate in class activities;
- n. Unauthorised use of mobile telephones or other devices in class;
- o. Harassment, discrimination or vilification in any form against a student or students, staff member, agent or any other person;
- p. Photographing, recording or filming a person without their permission;
- q. Harassing, bullying or behaving inappropriately through social media or other means; and/or
- r. Bullying in any form.

3.6 Dealing with allegations of Non-academic Misconduct

3.6.1 Minor allegations may be resolved informally through discussion where appropriate, provided the aggrieved party (complainant) is satisfied with this resolution. Where this is not suitable, or has not proven successful, a Disciplinary Interview will be organised immediately.

3.6.2 If appropriate, both the aggrieved party (complainant) and the student accused of non-academic misconduct may be present and present their account of the situation. Where this is not appropriate, such as in cases of intimidation, a separate interview will be conducted between these parties and Management.

3.6.3 During the Disciplinary Interview the student will be presented with the allegation, the reason for the allegation and any evidence. The student will have the opportunity to present

their side and give any possible explanation or clarification of the issue. The student is able to bring a support person to the interview.

3.6.4 The Disciplinary Interview Notification, reasons and any decisions or outcomes will be, recorded and retained in the student's file and sent to the student in writing. These records may be accessed by the student or DNA Kingston Training in case of complaint or appeal arising from the allegation and subsequence review and repercussions.

3.7 Consequences of Non-academic Misconduct

3.7.1 Should the student be found to have committed non-academic misconduct, dependent upon the seriousness any of the following may occur, either singularly or in any combination:

- a. Counselling by student support or academic staff;
- b. Referral to outside counselling or other services;
- c. Follow up meetings with academic staff and/or student support;
- d. A written warning, outlining the occurrence and any evidence, which shall be sent to the student and be retained in their student record for consideration should any further occurrences take place;
- e. Being removed from a class or group for the safety and wellbeing of others;
- f. Suspension from the course;
- g. Cancellation of Enrolment, particularly for wilful, serious and/or repeated misconduct the enrolment is cancelled. This may affect the student's visa. Students should seek advice from the Department of Home Affairs on the potential impact on their visa.

3.7.2 The student will be advised of their right to access Complaints and Appeals at every step of the process. Where DNA Kingston Training decides to suspend or cancel a student's enrolment, this will be done in accordance with the College's Deferral Suspension Cancellation Policy.

3.7.3 In particularly serious cases in which a student has committed criminal offences, the appropriate legal authorities will be informed.

Related Legislation and Regulations

- The National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2018, known as ‘the National Code 2018’ Standards 8 and 9;
- Standards for Registered Training Organisations (RTOs) 2015;
- Education Services for Overseas Students Regulations 2001;
- Education Services for Overseas Students Act 2000.

Related Policies, Procedures and Documents

- Deferral Suspension Cancellation Policy;
- Complaints & Appeals Policy & Procedure.

Kingston Training and Employment Pty Ltd Provider No: 6811 CRICOS Provider No: 02899B	
Policy Title	Student Misconduct Policy and Procedure
Policy Renewal	Every 2 years
Responsibility	Compliance Manager

Record of updates and changes

Version No.	Issue Date	Nature of Amendment
Version 01	January 2014	Materials Designed
Version 02	July 2014	Updates
Version 03	Feb 2019	Changes to format & minor changes
Version 04	July 2022	General review
Version 05	Aug 2024	General review + amendments to wording + addition of use of AI