

Learner Code of Conduct

The Centre provides an adult learning environment for learners/clients enrolled in courses/programs. To get the most out of your program, we ask that you agree to our code of conduct as a condition of your enrolment. The code of conduct ensures that your educational environment is free from harassment/bullying, is safe for children to participate and ensures that together we create a place where we can all learn and feel safe. The code is based on respect. Respect is important to The Centre and its staff as we support you in your learning.

Respect is a regard for the feelings, wishes, and rights of others

Below are the expectations The Centre has for all learners/ clients engaged in courses and programs at The Centre:

<p>1. Respect the right for others to feel safe</p>	<p>To be a member of The Centre's learning community you must:</p> <ul style="list-style-type: none"> a. Treat others with respect b. Not threaten other learners/clients or staff c. Not harass other learners/clients or staff d. Not discriminate against other learners/ clients, staff or community members e. Not attend The Centre or its programs under the influence of Alcohol, drugs or other medications that may impair your judgement. f. Not attend The Centre or its programs in possession of weapons or other illegal items. g. Not encourage or ask members of the community not enrolled at The Centre to bully, harass, threaten or intimidate other learners/clients h. Comply with the requirements of The Centre's Child Safe Policy and requirements <p><i>The Centre has a zero tolerance of learners/ clients bullying or harassing other learners/ clients or members of The Centre staff.</i></p>
<p>2. Respect the right of others to learn</p>	<p>When attending programs with The Centre you must:</p> <ul style="list-style-type: none"> a. Listen to other learners/clients opinions b. Share your own opinions respectfully c. Discuss differences with respect and a regard for others d. Actively participate in all activities e. Not disrupt the learning of others through behaviours that would breach the right of others to feel safe in the learning environment f. Follow the directions of staff at all times
<p>3. Respect your own learning</p>	<p>To support your learning, we ask that you:</p> <ul style="list-style-type: none"> a. Arrive to class prepared to learn b. Value your own skills and abilities and what these qualities bring to the class, The Centre as a whole and the communities in which we operate c. Be willing to seek support when required – this may include external referrals d. Attend a minimum of 80% of classes/ requirements

<p>4. Respect our staff</p>	<p>Our staff are here to support your learning. To achieve this we ask that you:</p> <ul style="list-style-type: none"> a. Do not swear at, threaten or intimidate our staff or other learners/clients b. Are open and honest in all your interactions with staff c. You notify us when your learning/program is being affected by an issue or circumstances d. You notify us when you are going to be absent from classes/meetings prior to the posted starting time
<p>5. Respect our community and our place in it</p>	<p>When representing The Centre in the community you must:</p> <ul style="list-style-type: none"> a. Be polite and courteous b. Not engage in behaviour that may give cause for complaint. E.g. Swearing c. Meet all the requirements of work placement in a manner that is to a standard which is expected of that industry/occupation <p>e.g. Being on time, neatly and appropriately dressed, notifying when sick or absent, asking questions to clarify understanding when required</p>
<p>6. Respect the environment and resources that we provide</p>	<p>The Centre will not tolerate:</p> <ul style="list-style-type: none"> a. Damage to its property, resources or facilities b. Learners/clients using illegal substances on or near sites where The Centre operate courses c. Smoking in inappropriate areas

7. In return for complying with these expectations, The Centre will provide all learners/ clients enrolled in courses:

- a. A safe learning/working environment free from bullying and harassment
- b. Support services that meet the needs of individual learners/ clients to complete training and assessment programs.
- c. Training and assessment resources to support your learning
- d. Skilled, engaging trainers/assessors that support you to learn
- e. Respect, in return for your support in meeting the expectations of this code of conduct

8. Child Safe Organisation Requirements:

The Centre is a Child Safe organisation. This means The Centre has a policy and procedure in place to meet the following standards:

Standard 1: Organisations establish a culturally safe environment in which the diverse and unique identities and experiences of Aboriginal children and young people are respected and valued

All of The Centre's policies, procedures, systems and processes together create a culturally safe and inclusive environment and meet the needs of Aboriginal children, young people and their families.

Standard 2: Child safety and wellbeing is embedded in organisational leadership, governance and culture

Our commitment to child safety can be found on The Centre's Website

<https://www.thecentre.vic.edu.au/client-information-3/important-information/>

Standard 3: Children and young people are empowered about their rights, participate in decisions affecting them and are taken seriously

The Centre believes that children have a right to be heard and have their concerns and ideas taken seriously, particularly on matters that affect them – including how to keep them safe.

Standard 4: Families and communities are informed, and involved in promoting child safety and wellbeing

The Centre engages and openly communicates with families and the community about its child safe approach and relevant information is accessible.

Standard 5: Equity is upheld and diverse needs respected in policy and practice

The Centre has an Anti-Discrimination and Bullying policy in place to ensure that all children and young people are equitable.

Standard 6: People working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice

The Centre has a policy and procedure in place to ensure that all staff are suitable for child related employment. All staff (including volunteers) are required to have a current Working with Children's Check, National Police Check and are screened during recruitment for their suitability to undertake child related employment.

Standard 7: Processes for complaints and concerns are child focused

The Centre has a compliant and appeals policy which clearly outlines the roles of responsibilities of leadership, staff and volunteers to dealing with different types of complaints and breaches.

Standard 8 – Staff and volunteers are equipped with the knowledge, skills and awareness to keep children and young people safe through ongoing education and training

The Centre has a comprehensive Code of Conduct for its staff and volunteers. This is available on The Centre's website located at <https://www.thecentre.vic.edu.au/client-information-3/important-information/>

Standard 9 – Physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed

The Centre has relevant policies and procedures in place in regards to physical and online environments to mitigate risk of any harm in which children and young people may be exposed to.

Standard 10 – Implementation of the Child Safe Standards is regularly reviewed and improved

Annually, The Centre undertakes a comprehensive risk assessment of all of its operation to reduce or remove risks to children at The Centre. This can be made available to parents upon request to the Information Privacy Officer PH: (03) 5721 0200

Standard 11 – Policies and procedures document how the organisation is safe for children and young people

The Centre has a policy and procedure in place in regard to the reporting and recording of allegations of abuse. The Centre is required to report suspected abuse to the Department of Health and Human Services. Where the reasonable belief a crime has taken place or a child is in immediate risk of harm, The Centre will report the matter to the Police immediately.

For further information relating to how The Centre complies with these standards, Please see The Centre's Child Safe Policy located on our website <https://www.thecentre.vic.edu.au/client-information-3/important-information/>

9. Learners/ clients over the age of 18 require Working with Children Checks

As The Centre's programs and services are open to both adults and children, The Centre has taken reasonable steps to ensure the safety of children in its care.

It is ideal that all learners/clients over the age of 18 hold a current Volunteer Working with Children Check. We understand that this may not be possible for some learners/clients, but The Centre's policy and Child Safe status may prevent us from enrolling learners/clients in courses of longer duration (more than 3 days in duration) in courses unless this requirement has been met. In some cases, learners will need to undertake a screening process to ensure the safety of all learners. This will be conducted in a confidential manner and communicated with affected learners.

10. Previous Criminal Convictions

It is also a requirement that all learners/clients enrolling in courses disclose any relevant previous convictions. This information is only used to determine the suitability of learners/ clients to enter into courses. Many of our courses e.g. Certificate III in Education Support have inherent requirements to be able to undertake required industry work placement and employment.

As such, to prevent future disappointment, it is requested that all learners/ clients disclose the existence of a previous criminal convictions with a Learner Engagement and Employment Officer (LEEO). This information will be kept in the strictest confidence and will not be recorded or information held by The Centre. Information supplied is used to support finding suitable and appropriate learning options for you in the future. Learners/clients who are also enrolled in Reconnect Program will have information relating to previous convictions recorded in confidential case notes. Access to this information is highly restricted to preserve the privacy of clients/ learners/clients.

The Centre does not discriminate or allow the discrimination of persons based on or in relation to previous criminal convictions. The only justification for preventing access to programs and services are outlined in the requirements of the Access, Anti-Discrimination and Bullying Policy.

Learners/ clients who do not disclose relevant previous criminal convictions may be removed/ withdrawn from their course at the discretion of The Centre.

11. Bullying:

The Centre has a zero tolerance of bullying of any form.

Learners/clients who experience bullying are to notify a member of The Centre in one of the following ways:

- a. In Person by speaking to a staff member such as a teacher/Trainer or Manager.
- b. In writing by formal complaint to the CEO.
- c. By phone to the relevant Manager for their course.
- d. Parents guardian are encouraged to report suspected bullying by arranging a meeting or by phone with the relevant Manager.

All complaints/allegations of bullying are taken seriously and investigated within the requirements of The Centre's Investigations Procedure. Information relating to The Centre's Complaints Policy can be found on our website at <https://www.thecentre.vic.edu.au/client-information-3/important-information/>

Learners/clients who are the victim of bullying at The Centre where the perpetrator of the bullying is another learner/client or staff member of The Centre will be provided with individual support on a case by case basis that could include:

- Individual support from a Learner Engagement and Employment Officer

- External referral to support agencies that specifically support the social and emotional impact of bullying and recovery from instances of bullying

Prior to returning (if appropriate) to the learning environment, learners/clients that have breached this code of conduct in relation to bullying will be required to complete a program on the impact of bullying. They also may be asked to attend a different class/group to the one in which the victim of their behaviours is attending or is enrolled.

Additional resources to support learners who are facing issues of bullying can be found on The Centre's website located at <https://www.thecentre.vic.edu.au/client-information-3/important-information/>

12. Threats of Violence:

All threats of violence towards staff or learners/clients of The Centre will be reported to the Police. Learners/clients are encouraged to seek support and advice in relation to threats of violence from the Police in instances of bullying and harassment.

13. Process for handling breaches of this Code of Conduct

All breaches of the code of conduct are investigated as per the requirements of the Investigations procedure. This provides for procedural fairness and natural justice principals in relation to decision and consequences.

The Centre has a number of consequence options when handling breaches of the Learner Code of Conduct. Depending on the seriousness of the breach the centre may choose to:

- Speak to the learner regarding the breach and issue a verbal warning in regards to the breach
- Formally (In writing) request the learner/ client to cease the behaviour or pose restrictions on the learner's access to the program including suspension/ exclusion of a learner/ client dependent on the seriousness of the breach. The CEO has sole discretion on determining an appropriate period of time in relation to exclusion/ suspensions.
- Withdraw the learner as a last resort, where other attempts to modify behaviour to prevent breaches of this code have been unsuccessful.
- Bullying is specifically covered in section 11, however the consequences a-c still apply following the additional requirements as outlined in section 11 are completed.

Instances of Bullying are defined as being serious breaches of this Code of Conduct and are unacceptable behaviour. All instances are investigated and reported to the CEO. The CEO has, at their sole discretion, the power to impose consequences on learners/ clients who are found to have been in breach of the anti-bullying requirements of this Code of Conduct.

14. Definitions

Bullying

Bullying is an ongoing and deliberate misuse of power in relationships through repeated verbal, physical and/or social behaviour that intends to cause physical, social and/or psychological harm. It can involve an individual or a group misusing their power, or perceived power, over one or more persons who feel unable to stop it from happening.

Bullying can happen in person or online, via various digital platforms and devices and it can be obvious (overt) or hidden (covert). Bullying behaviour is repeated, or has the potential to be repeated, over time (for example, through sharing of digital records)

Bullying of any form or for any reason can have immediate, medium and long-term effects on those involved, including bystanders. Single incidents and conflict or fights between equals, whether in person or online, are not defined as bullying.

Relevant previous criminal convictions

Criminal convictions within the previous 10 years that will have an impact on or relevance to:

- The Centre's Child Safe requirements or the ability for a learner to apply for a Working with Children Check.
- Previous convictions that will mean that learners/ clients do not meet the inherent requirements of the course, work placement or post course employment opportunities associated with the course of study they are or are intending to undertake.

The specific offenses relate to the type of course, employment sector and associated requirements. As such, decisions based on this are depended on relevant industry expectations e.g. WWCC's are required to be able to work in a school.

Irrelevant Criminal Convictions

e.g. Drink driving or speeding offences

Respect

Respect is a regard for the feelings, wishes, and rights of others

Discrimination

Unlawful discrimination means treating a person less favourably because of a personal attribute they have which is covered by equal opportunity laws. Under Victorian equal opportunity laws, discrimination based on the following attributes is unlawful: sex, race, disability, gender identity, sexual orientation, lawful sexual activity age, pregnancy, marital status, parental status, breastfeeding in public, carer status, religious belief or activity, political belief or activity, industrial activity, physical features, personal association, irrelevant criminal record.

Harassment

Unlawful harassment is any behaviour which is based on one of the attributes listed above under 'discrimination' and which is unwelcome, and offends, humiliates or intimidates the person being harassed. The fact that no offence was intended does not mean that the harassment is not unlawful. The most common form of harassment is sexual harassment. Examples of sexual harassment include: unwanted touching; indecent or sexual assault; sexual propositions; nude pin-ups and posters; obscene telephone calls; persistent requests for outings or dates; leering or staring; wolf whistling; offensive or obscene language; downloading and circulation of pornographic material and crude jokes

Staff

For the purpose of this code of conduct staff refers to permanent, full-time or part-time employees, casual staff, volunteers and tutors.

inherent requirement

Meeting the requirements of The Centre's Child Safe Policy in relation to the screening of adults in the learning environment. All adult learners/clients enrolled in courses of a duration longer than 3 days should undertake application for a Volunteer Working with Children Check.

Inherent requirements for Certificate III in Education Support, Individual Support and Certificate IV in Disability for learners/clients to qualify to commence/ attend work placement in these industries are:

- Working With Children Check
- National Criminal History Check.

15. Agreement

**I have read/ been informed of my requirements to comply in the following areas of this Code of Conduct:
(Please Tick)**

- Section 1-6 The Centre's expectation of all learners/ clients
- Section 7 What I can reasonably expect from The Centre in response to my compliance with 1-6.
- Section 8 The Centre's Child Safe requirements have been explained to me and I understand
- (If over 18 years) I agree to undertake a Volunteer Working With Children's Check or undertake a screening assessment.
- In accordance with section 10, I have disclosed all relevant previous criminal convictions that may prevent me from accessing/ attending The Centre's facilities and Inherent Requirements of Qualifications that I may wish to enter.
- I have read section 11 in relation to my responsibilities in relation to Bullying and I agree to meet The Centre's requirements in relation to this section.
- I understand that The Centre has a zero tolerance on Threats of Violence and I agree to comply with this section.
- I agree on the reasonable steps The Centre may take in relation to any breaches of this code of conduct.

By signing below, I agree to comply with The Centre's Learner Code of Conduct and all the requirements contained within it. I understand that serious breaches of this Code of Conduct may result in my withdrawal from learning programs and other services offered by The Centre. I agree to inform The Centre's Engagement Support and Employment Department if at any stage during my enrolment at The Centre I am charged or convicted with an offence that would affect my ability to hold a current Volunteer Working With Children Check (If over 18 years) or that may affect the outcome of any screening assessment that may have taken place.

Name of Learner: _____

Signature: _____

Date: _____

If learner is under 18 years of age: Parental/ Guardian consent is required:

By Signing below, I agree to the requirements of this Code of Conduct and that my child has agreed to comply with the requirements of this code. I agree that the steps taken by The Centre to create a child safe environment for my child have been sufficiently explained to me during this process.

Parent/ Guardian Name: _____

Signature: _____

Date _____