

ACADEMIC MISCONDUCT POLICY AND PROCEDURE

+61 0461414506

www.royalinternational.edu.au

support@royalinternational.edu.au

Melbourne (Head Office)

Suite 2, Level 6, 341, Queen Street,
Melbourne VIC 3000 Australia

NSW (2nd Campus)

406/2-8, Brookhollow Ave,
Norwest, NSW - 2153

NSW (4th Campus)

Suite 2, Level 3, 235 Church Street,
Parramatta NSW 2150



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1.1. Academic Misconduct Policy and Procedure

Policy Content

Aspect	Details
Regulator	Australian Skills Quality Authority (ASQA)
Standards Referenced	
Legislation / Requirements	

Purpose

To uphold academic integrity and fairness by setting clear expectations for student conduct, identifying breaches of academic integrity, and outlining transparent processes for investigation, decision-making, and penalties.

Policy Statement

The RTO maintains high academic standards by promoting a culture of honesty and ethical learning. This policy sets out the framework for managing academic misconduct, including plagiarism, cheating, collusion, and other unethical academic practices. All allegations will be managed confidentially and in line with the principles of procedural fairness and natural justice.

Objectives

This policy aims to:

- Define what constitutes academic misconduct.
- Establish consistent procedures for addressing suspected misconduct.

- Ensure that all decisions are evidence-based and fair.
- Uphold the RTO's academic integrity by applying appropriate penalties.
- Document incidents for continuous improvement and compliance.
- Provide clear roles and responsibilities for staff handling misconduct.

Scope

This policy applies to:

- All students enrolled in any VET course at the RTO.
- All RTO staff involved in teaching, assessing, or supporting students.
It covers misconduct in all forms of assessments and coursework, whether written, oral, or practical, and applies to conduct during both on-campus and online learning environments.

Procedure

1.1.1 Academic Misconduct Investigation

When academic misconduct is suspected, the RTO must take prompt and structured action in line with the principles of fairness, transparency, and natural justice.

1. Initial Detection

A Trainer/Assessor or Student Support Officer (SSO) who suspects academic misconduct (e.g. plagiarism, cheating, collusion) must document the suspicion and collect any supporting evidence. This may include duplicate submissions, inconsistencies in student work, or similarity reports from plagiarism detection tools.

2. Student Notification and Discussion

The student is contacted by the Trainer or SSO and invited to attend a confidential meeting. The purpose of the meeting is to present the concerns, explain the nature of the suspected misconduct, and allow the student an opportunity to respond. The student must be given reasonable notice of the meeting and may bring a support person (e.g. friend, counsellor, or interpreter).

1.1.1.3 Resolution for First-time or Minor Misconduct

If it is the student's first occurrence and the misconduct is minor (e.g. unintentional plagiarism), the staff member may:

- Counsel the student on academic integrity standards.
- Provide remedial guidance and resources.
- Allow the student to revise and resubmit the assessment (if applicable).

1.1.1.4 Escalation to Course Coordinator If:

- The student denies the misconduct and a resolution cannot be reached, or
- The misconduct is deemed more serious or is a repeated offence, then the matter is escalated to the Course Coordinator or Academic Manager.

1.1.1.5 Formal Documentation

All meetings and communications must be:

- Documented using a Misconduct Interview or Incident Report Form.
- Signed by all parties present.
- Stored securely in the student's file for at least seven (7) years in accordance with the RTO's Records Management Policy.

1.1.1.6 Interim Action

In cases involving serious allegations, the RTO may temporarily suspend the student's access to class activities or assessments during the investigation phase, if deemed necessary for academic integrity or safety.

1.1.2 Determination of Misconduct Level

Once the initial investigation is completed, the RTO must categorise the misconduct based on its severity to determine the appropriate disciplinary response.

1.1.2.1 Review of Evidence and Student Response

The Course Coordinator or Academic Manager reviews:

- All evidence gathered during the initial investigation.
- The student's explanation and attitude toward the alleged misconduct.
- Any prior misconduct history on file.

1.1.2.2 Categorising the Misconduct

The misconduct is then classified into one of the following levels:

Level 1 - Minimal

- **Examples:** Accidental plagiarism, improper referencing, minor copying without intent to deceive.
- **Criteria:**
 - No prior misconduct record.
 - Student demonstrates a lack of understanding rather than intentional dishonesty.
- **Action:** Counselling, educational support, and possible resubmission of work.

Level 2 - Moderate

- **Examples:** Repeated copying from internet sources, moderate collusion, reuse of prior work without disclosure.
- **Criteria:**
 - Misconduct is more serious or repeated.
 - Student fails to take responsibility.
- **Action:** Formal written warning, fail grade for the task, requirement to re-submit with penalty, or academic probation.

Level 3 - Serious

- **Examples:** Contract cheating, impersonation, submission of work completed by another, falsification of results.
- **Criteria:**
 - Intent to deceive or gain unfair advantage.
 - Risk to academic standards or RTO's reputation.
- **Action:** Immediate referral to the Principal Executive Officer (PEO), fail grade for the unit, potential suspension or enrolment cancellation, and notification to regulatory bodies if required.

1.1.2.3 Decision-Maker Assignment

- **Level 1 & 2:** Resolved by Academic Manager or RTO Manager.

- **Level 3:** Must be referred to PEO or designated senior authority. In severe cases, external legal or regulatory involvement may be initiated.

1.1.2.4 Recording the Decision

- Misconduct level classification and rationale are documented in the student's file.
- A formal notification letter is issued to the student outlining the decision, consequences, and appeal rights.

1.1.3: Application of Penalties and Corrective Actions

Once the misconduct level has been determined, the RTO proceeds with applying appropriate penalties and corrective measures that align with the severity of the academic breach.

1.1.3.1 Confirm Decision and Notify Student

- The assigned decision-maker (Academic Manager, RTO Manager, or PEO) confirms the penalty based on the misconduct level.
- A formal outcome letter is sent to the student, detailing:
 - The type of misconduct.
 - The level assigned (1, 2, or 3).
 - The specific penalties imposed.
 - The reason for the decision.
 - The student's right to appeal and the timeframe for doing so.

1.1.3.2 Apply Level-Based Penalties

Misconduct Level	Associated Penalties
Level 1 - Minimal	<ul style="list-style-type: none"> - Verbal or written warning - Academic counselling - Remedial training or support session - Educational contract for improvement - Re-submission with or without penalty
Level 2 - Moderate	<ul style="list-style-type: none"> - Formal written warning - Fail grade for the task - Re-submission not permitted or with maximum penalty applied

	<ul style="list-style-type: none"> - Academic probation - Required to attend misconduct awareness session
Level 3 - Serious	<ul style="list-style-type: none"> - Fail grade for the entire unit - Suspension from further study for a defined period - Cancellation of enrolment (following procedural fairness and appeal rights) - Possible reporting to external authorities (e.g., ESOS agency, ASQA)

1.1.3.3 Recordkeeping and Documentation

- All actions and outcomes are documented in the student's file, including:
 - The misconduct level and justification.
 - Evidence reviewed and outcome letters.
 - Records of meetings and correspondence.
- Confidential files are maintained securely and retained in accordance with recordkeeping policies.

1.1.3.4 Inform Relevant Staff and Units

- The outcome is communicated only to staff with a direct need-to-know basis (e.g., trainer, academic team, student services).
- Staff are advised of any academic interventions or restrictions placed on the student (e.g., re-assessment not permitted, probation requirements).

1.1.3.5 Implementation of Corrective Action Plan (if applicable)

- Where required, the student may be issued a corrective action plan outlining behavioural or academic improvements needed, including:
 - Mandatory attendance at academic integrity workshops.
 - Submitting work to plagiarism detection tools.
 - Engagement with a learning support officer.
- Progress under the action plan is monitored, and non-compliance may lead to escalated penalties.

1.1.4: Appeals and Escalation Process

This step ensures that all students have access to a fair, transparent, and timely appeal process following any academic misconduct finding or penalty.

1.1.4.1 Advise Student of Appeal Rights

- In the outcome letter issued under Step 3, the student is informed of:
 - Their right to appeal the decision.
 - The internal appeals process timeframe (20 working days from the date of the outcome letter).
 - The availability of an independent support person throughout the appeal.
 - The availability of external appeal options should they remain dissatisfied.

1.1.4.2 Lodge an Internal Appeal

- Students submit a formal appeal using the RTO's *Complaints and Appeals Form*, addressed to the RTO Manager.
- The appeal must clearly state the grounds:
 - Procedural error.
 - New and relevant evidence.
 - Disproportionate penalty.
 - Evidence of bias or conflict of interest.

1.1.4.3 Internal Appeal Review

- The RTO Manager or a delegated panel (with no prior involvement in the original decision) reviews:
 - The initial decision and documentation.
 - The student's appeal submission and any new evidence.
- The appeal must be processed within **10 working days** unless an extension is required, in which case the student is notified in writing.

1.1.4.4 Appeal Outcome Notification

- A written decision is issued to the student, including:
 - Appeal outcome (upheld, partially upheld, or dismissed).

- Reasons for the decision.
- Any adjustments to the original penalty (if applicable).
- Advice on external review options if the student remains unsatisfied.

1.1.4.5 External Appeals Option

- If the internal appeal is unsuccessful, the student may contact:
 - The National Training Complaints Hotline (13 38 73).
 - An independent external mediator nominated by the RTO.
 - The relevant state or national ombudsman (e.g., Overseas Students Ombudsman for international learners).
- The RTO will cooperate fully with any external investigation and pause any enforcement of penalties until the appeal is resolved.

1.1.4.6 Recordkeeping and Confidentiality

- All appeal-related documentation, outcomes, and correspondence are recorded in the student's file.
- Records are maintained confidentially and securely for 7 years, and access is limited to authorised personnel only.

1.1.4.7 Protection Against Reprisal

- The RTO strictly prohibits any form of retaliation or disadvantage against students for lodging an appeal.
- Staff involved in appeal decisions are required to maintain impartiality, fairness, and adherence to natural justice.

Roles and Responsibilities

Role/Position	Responsibilities
Trainer/Assessor	<ul style="list-style-type: none"> • Identify, document, and preliminarily address suspected academic misconduct cases. • Conduct initial discussions with the student in a confidential and respectful manner.

	<ul style="list-style-type: none"> • Report unresolved or repeated misconduct to the Course Coordinator or RTO Manager.
Student Support Officer (SSO)	<ul style="list-style-type: none"> • Provide support to students involved in misconduct cases, including assistance during interviews and appeals. • Maintain confidentiality and guide students through available support services.
Course Coordinator / Academic Manager	<ul style="list-style-type: none"> • Review escalated misconduct cases (Level 2 or repeated Level 1). • Determine appropriate outcomes or escalate serious cases to the RTO Manager or PEO. • Ensure academic integrity is maintained across all delivery areas.
RTO Manager / Compliance Manager	<ul style="list-style-type: none"> • Oversee serious misconduct cases and appeals. • Ensure procedural fairness and that all actions are compliant with internal policy and external legislation. • Make final decisions for internal appeals and maintain the academic misconduct register.
Principal Executive Officer (PEO)	<ul style="list-style-type: none"> • Oversee Level 3 misconduct or cases involving external authorities. • Authorise internal appeal decisions where necessary. • Ensure RTO-wide compliance with academic integrity expectations.
Administration Team	<ul style="list-style-type: none"> • Maintain secure records of academic misconduct cases, decisions, appeals, and supporting evidence. • Ensure timely and confidential handling of all documentation.
Students	<ul style="list-style-type: none"> • Adhere to the RTO's academic integrity standards. • Participate honestly in all learning and assessment activities.

	<ul style="list-style-type: none"> • Respond to allegations respectfully and within required timeframes. • Utilise appeal and support options if needed.
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Confidentiality and Privacy

- The RTO is committed to protecting the confidentiality and privacy of all parties involved in academic misconduct matters.
- All information and documentation relating to academic misconduct investigations, interviews, outcomes, and appeals are treated as confidential and stored securely in accordance with the *Privacy Act 1988* and relevant state legislation.
- Access to misconduct-related records is restricted to authorised personnel only (e.g., relevant trainers, coordinators, compliance staff).
- Students are informed that personal information will not be disclosed to third parties unless:
 - Required by law.
 - Required for reporting to regulatory bodies; or
 - There is a duty of care obligation (e.g., risk to individual or others).
- All staff involved in managing misconduct are reminded of confidentiality obligations through induction and ongoing compliance training.

Continuous Improvement

- All academic misconduct cases, outcomes, and associated feedback are reviewed quarterly by the RTO's management team.
- Misconduct records are analysed to identify trends, patterns, or systemic weaknesses in delivery, assessment, or academic support.
- Any recurring breaches, procedural breakdowns, or student misunderstandings are addressed through staff training, process adjustments, or revision of support materials.
- The Compliance Officer or RTO Manager is responsible for recording misconduct-related findings in the *Continuous Improvement Register*.

- Policy updates are implemented as needed based on:
 - Internal reviews.
 - Stakeholder feedback.
 - Regulatory updates; or
 - Outcomes from validation, audits, or appeals.

Retention of Records

All documentation related to academic misconduct—including allegations, investigations, evidence, meeting notes, correspondence, and appeal outcomes—is securely retained in accordance with regulatory and organisational requirements.

Specifically:

- Academic misconduct records are retained for a minimum of seven (7) years from the date of resolution, in accordance with the RTO's Records Management Policy and to support internal quality assurance and continuous improvement practices.
- Assessment records, including those connected to misconduct investigations, are retained for a minimum of two (2) years after the student has completed the relevant training product, in compliance with Clause 10(c) of the Standards for RTOs 2025.
- All records are stored securely within the RTO's Student Management System (SMS) and/or internal document control system, with access limited strictly to authorised personnel.
- Upon expiration of the retention period, records are securely destroyed in line with the RTO's data management and privacy protocols, ensuring compliance with the Privacy Act 1988, the Standards for RTOs 2025, and relevant state or national legislation.

Publication and Access

- This policy and procedure are made available:
 - On the RTO's website.
 - On the RTO intranet.
 - Upon request to Student Support Services.
- Students are introduced to the academic misconduct policy during orientation.

- All staff receive access to this policy during induction and are expected to comply with its requirements.
- Any revisions to the policy are communicated via internal notices and published updates to ensure currency of information.