



SYDNEY
METROPOLITAN
INTERNATIONAL COLLEGE

Staff Handbook 2020



SYDNEY
METROPOLITAN
INTERNATIONAL COLLEGE

Sydney Metropolitan International College
2 – 4 Marmaduke Street | Burwood
NSW 2134 | AUSTRALIA

Telephone: +61 2 9744 1356
Email: info@smic.edu.au
Web: <http://www.smic.edu.au>

RTO 45523 | CRICOS Provider 03792E
ABN 35 616 159 276

Table of Contents

Staff Obligations and Standard of Conduct Policy	5
Standards of Conduct	5
Access and Equity Policy	7
Towards the fulfilment of this commitment SMIC:	7
Probationary Period of Employment Policy.....	10
Staff Remuneration Policy.....	10
Hours of Work (excluding Managers):	10
Meal Breaks.....	10
Pay Period	10
Annual Leave	10
Staff Leave, Remuneration, and Reimbursement Policy	11
Personal Leave.....	11
Sick Leave.....	11
Bereavement Leave.....	12
Carer’s Leave	12
Long Service Leave	13
Parental Leave	13
Jury Service Leave	13
Reimbursement	13
Public Holidays.....	14
Staff Redundancy & Termination Policy.....	14
Redundancy.....	14
Termination of Employment.....	14
Termination for Medical Reasons	15
Staff Professional Development Policy	17
VET Training Staff Requirements	18
Staff Disciplinary Policy and Procedure.....	20
Breaches of Discipline.....	20
Unsatisfactory performance or behaviour	20
Inquiries into Alleged Breaches.....	21
Penalties	21
Staff Appraisal Policy and Procedure.....	21
Non-Training Staff Performance & Development Appraisals.....	22
Staff Complaints Policy	22
Staff Absence Policy and Procedure	23
Statutory and Regulatory Requirements Policy and Procedure	23
Procedures for Complying with Legislation and Regulations.....	24
Disseminating & Sharing Information	24
Continuous Improvement Policy.....	25
Copyright, Intellectual Property and Computer Software Policy	25
Intellectual Property.....	26
Meetings	26
Work and Environmental Health and Safety Policy	26
Violations of policy	27
The disciplinary actions.....	27
Legal Aspects	28
Occupational Rehabilitation / Return to Work Policy.....	28
Duty of Care Policy	28
Drug Free Policy.....	29

Sexual Harassment Policy	29
General principles of liability	30
Other Policies and Procedures	35
APPENDIX 1: Staff Induction Checklist	36
Personal Information	36
System Information	36
Duties and Support Awareness	37
My Area	37
Training obligations, responsibilities and resources	37
Contract	38

Introduction

Welcome to Sydney Metropolitan International College (SMIC). SMIC is a registered training organisation (RTO) number 45523 and it is registered on the Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS) number 03792E.

As a member of staff of SMIC, we look forward to your contribution to the team and we wish you a long and successful association with our organisation.

If you have any questions regarding SMIC, please contact the PEO, who would be delighted to discuss matters with you.

Mission and Vision

The philosophy of SMIC is to offer quality education and services to assist students maximise their learning and employment opportunities.

The vision of SMIC is to be one of the leaders in the Australian educational industry and a preferred choice education provider for overseas students and agents.

SMIC meets the needs of international students by providing training within a caring and supportive educational environment. The institution offers courses that enable students to make a worthwhile contribution to society as educated individuals able to develop successful careers and compete in today's dynamic global economy and/or pursue further studies.

Every student is valued regardless of his/her ability and with respect for cultural diversity. Teaching and learning take place in a supportive, nurturing student-centred environment where every effort is made to cultivate the individual's full potential. By meeting educational needs, individual student's barriers to learning can be overcome; empowering students to meet and exceed their own personal educational expectations. We believe that by providing a range of learning strategies in response to individual learning styles, learning will be a satisfying and fulfilling experience for all.

Purpose of Staff Handbook

The handbook is intended to explain to staff their benefits, opportunities and responsibilities whilst employed by SMIC. The handbook has been prepared to introduce staff and contractors to our organisation and acquaint them with the benefits, opportunities, responsibilities, key policies, procedures and standards that apply to their employment or contract.

All staff are advised to read this handbook carefully. In all instances, staff should refer to the SMIC policies and procedures.

The policies and information contained in the Staff Handbook may be changed if circumstances require an amendment. Management reserves the right to change, update or

introduce new policies to maintain the continued safe and effective operation of the business. Changes will be notified to all staff by email and documents updated in the G drive.

Staff Obligations and Standard of Conduct Policy

Staff are required to comply with the following obligations and standards of conduct. SMIC will take appropriate disciplinary action against any staff member who fails to conform to SMIC's standards.

Standards of Conduct

It is expected that all staff members will:

- use their best endeavours to promote, develop and extend SMIC's business interests and reputation and not do anything to its detriment.
- declare any interest in any business of any kind in which the staff member is engaged which may potentially be in conflict or in competition with the business of SMIC. Further, staff may not, whilst in the employment of SMIC, invest personal money, obtain an interest in or establish any other business that may be deemed to be in competition with SMIC.
- at all times exhibit professional behaviour and attitude in all dealings with students, other staff or clients of SMIC
- never come to work under the influence of alcohol or drugs, unless a doctor prescribes the drugs. No alcohol or illegal drugs are to be brought onto campus premises.
- not deliberately or unreasonably misuse work time.
- report to work in such a condition that they are able to perform duties properly and safely.
- Maintain all working areas.
- Refrain from discrimination and harassment of any sort which will not be tolerated. This includes any harassment, victimisation, bullying or any such conduct that has the purpose or effect of interfering with an individual's work performance or creating an intimidating, hostile or an offensive working environment.
- not claim or accept any fee, gratuity, commission or services from any person or persons other than SMIC in payment for any services concerned with duties performed for SMIC.
- not enter into any other contract of employment or contract for services, which could be seen as a conflict of interest, without the prior consent of SMIC.
- not falsify SMIC records, including applications for employment.
- not commit fraud, theft or embezzlement.
- not abuse, destroy or waste SMIC property or equipment.
- Refrain from immoral or indecent conduct which will not be tolerated.
- not show wilful or deliberate disregard for Workplace Health and Safety legislation, SMIC's WH&S policy and WH&S procedures.
- Avoid excessive absenteeism or tardiness and performance that do not meet the requirements of the position which will result in staff counselling and, if required, the

staff disciplinary procedure will be actioned for unsatisfactory performance and/or behaviour.

- not at any time or for any reason, whether during the term of their contract or after its termination, use or disclose to any person any confidential information relating to information of SMIC. The exception is in as so far as may be reasonably necessary to enable the staff to fulfil their work obligations.
- not disclose any confidential information within SMIC to any person other than staff of SMIC authorised to receive it.
- not use any confidential information relating to information of SMIC or information gained through SMIC, for their own benefit as distinct from the benefit of SMIC.
- not use or attempt to use any confidential information in any manner, which may injure or cause loss whether directly or indirectly to SMIC.
- not directly or indirectly make a record of, or divulge, or communicate to any other person, any confidential information regarding SMIC, or any matters associated with SMIC during the course of employment or after termination of employment with SMIC, staff must

Code of Practice

SMIC is listed on the Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS) and is bound by the National Code of Practice for Registration Authorities and Providers of Education & Training to Overseas Students 2007 under the Education Service for Overseas Students (ESOS) Act 2000.

1. SMIC shall at all times, act with integrity in dealings with students and members of the public.
2. SMIC shall adopt such policies and practices to ensure the quality of education and training programs offered are relevant and in accordance with:
 - a) Australian Skills Quality Authority (ASQA),
 - b) VET Quality Framework (VQF) and Standards for Registered Training Organisations, 2015, (SRTOs)
 - c) Commonwealth/State legislation and regulatory requirements,
 - d) Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS),
 - e) The Education Services for Overseas Students Act 2000 (ESOS), and
 - f) National Code of Practice for Providers of Education and Training to Overseas Students 2017 (the National Code).
3. SMIC will ensure:
 - a) the provision of adequate facilities in which to conduct training programs
 - b) the employment of qualified staff and maintenance of sufficient training staff to deliver programs on an on-going basis
 - c) the accuracy of any marketing and promotional advertising material
 - d) compliance with an acceptable refund policy
 - e) compliance with current Workplace Health & Safety, Access & Equity and Duty of Care requirements

- f) maintenance of adequate records and security of all current and archival records
 - g) students have access to their records upon request
 - h) maintenance and continual improvement utilising a Quality Management approach
 - i) compliance with conditions of registration under 'fit and proper persons' requirements
4. SMIC undertakes to maintain quality training and to uphold the highest ethical standards.
 5. SMIC undertakes to ensure that all its staff, agents and representatives are familiar with and agree to comply with this Code of Practice.
 6. SMIC shall refrain from practices and associations with any enterprise that could be regarded as acting in breach of the Code of Practice.

Access and Equity Policy

SMIC is committed to the goals of equal opportunity and affirmative action in education, training and employment. This goal is supported by the PEO and by all staff employed by SMIC. SMIC aims to provide a work and training environment for staff and students that embraces equity, fairness and respect for social and cultural diversity. SMIC fosters a culture that is free from unlawful discrimination, harassment and vilification as determined by legislation.

Towards the fulfilment of this commitment SMIC:

- Fosters a culture that values and responds to diversity.
- Provides equal employment opportunity by identifying and removing barriers to participation and progression in education, training and employment for all employees.
- Offers programs and employment opportunities that aim to overcome past disadvantage for members of staff, employee and student equity groups.
- Promotes clear and accountable management policies and practices to enhance trust between all parties.
- Enhances the quality of student learning and employment satisfaction for all students through the provision of culturally, socially and gender inclusive education and training in areas such as session material, training methods, assessment and review processes, training materials and support services.
- Ensures that its staff, employees and students are aware of their rights and their responsibilities.

To achieve these goals, SMIC depends on the continual co-operation of all employees. The PEO is responsible for the implementation of the Equity Policy and works closely with the team. SMIC upholds all Federal and State laws pertaining to human rights, anti-discrimination, equal opportunity and affirmative action in Australia.

These laws include the following:

- **Human Rights and Equal Opportunities Commission Act 1986:** incorporating ILO111 Convention concerning Discrimination in Employment and Occupation (Commonwealth). This legislation covers discrimination in employment and occupation on the grounds of race, colour, sex, religion, political opinion, national extraction, social origin, age, medical record, criminal record, marital status, impairment, disability, nationality, sexual preference, trade union activity.
- **Racial Discrimination Act 1975 (Commonwealth):** This act covers discrimination in employment, provision of goods and services, right to join trade unions and access to places and facilities, land, housing and other accommodation on the basis of colour, descent or national or ethnic origin.
- **Racial Discrimination Act 1975 Racial Vilification:** This act covers discrimination on the grounds of offensive behaviour based on racial hatred.
- **Sex Discrimination Act 1984 (Commonwealth):** This act covers discrimination in employment, education, provision of goods and services, accommodation, awards and enterprise agreements on the grounds of sex, marital status, pregnancy, family responsibility (upon dismissal only) and sexual harassment.
- **Disability Discrimination Act 1992 (Commonwealth):** This act covers discrimination in employment, education, access to premises, accommodation, administration of commonwealth laws and programs, provision of goods, services and facilities on the basis of physical, intellectual, psychiatric, sensory, neurological, or learning disabilities, physical disfigurement, presence in the body of disease-causing organisms (e.g. HIV virus).
- **New South Wales Anti-Discrimination Act 1977:** This act covers discrimination in employment, partnerships, education, access to places and vehicles, provision of goods and services and accommodation on the basis of race, sex, marital status, physical and intellectual impairment, homosexuality, age and homosexual vilification.

SMIC promotes best practice strategies and undertakes to regularly review procedures that eliminate discrimination by addressing barriers to communication, attitudes, access and confidentiality. SMIC aims to provide a work and training environment for staff and students that embraces equity, fairness and respect for social and cultural diversity. It also fosters a culture free from unlawful discrimination, harassment and vilification as determined by legislation.

Staff Induction Policy and Procedure

SMIC maintains a training and education environment that operates under the principles of access and equity for all stakeholders, both client and staff. Policy and Procedures at SMIC are developed to meet VQF, ESOS, ASQA, and Corporate Governance legislation requirements as conditions of operation.

SMIC works within a quality management approach. The policy and procedure documents, policy owner and staff updates form a key cornerstone to the quality framework. As part of the adherence to the quality management approach all new staff must ensure they are aware of the policies and procedures of SMIC and in particular obligations under the ESOS framework as per ESOS Std. 6.7

Prior to commencement the new staff member will be accorded an induction program that incorporates information relevant to their job role on each of the following:

- Training Packages and VET
- Training Programs
- Training requirements and policies
- Information about legislation which significantly affects their duties and their participation in education and training
- Professional development

The Induction Program materials consist of the following:

- Staff Handbook
- Overview of Policies and Procedures
- Relevant Training Package, Course Profile, Unit Profile, Compliance Templates
- Induction checklist and relevant forms, e.g. Working with Children Check

The Induction Program agenda will include the following;

- Introduction to staff
- SMIC site induction
- Review of ESOS Code of Practice
- Administration induction

Procedure

- The PEO conduct the induction and provide training for new staff.
- On the commencement day, the staff member is given a 3-hour induction to introduce SMIC policies and procedures, an Employment Kit containing the Staff Handbook
- Each trainer/assessor is required to fill in a Staff Profile form.
- Each trainer/assessor is required to give the SMIC a current signed and dated resume and certified copies of their qualifications.
- Each trainer/assessor is required to read their job description carefully, sign it and return it to the PEO
- The PEO will take the new staff member on a tour of SMIC to show them where training/training materials and assessment tools are kept and how they can be accessed.
- Each staff member is assigned a pigeonhole for mail and a locked drawer for securing their valuables.
- Each trainer/assessor is informed that part of their responsibilities is to ensure compliance with the ESOS Act and the National Code requirements and administrative reporting and processing of international students.

Probationary Period of Employment Policy

The probationary period for permanent staff lasts up to six (6) months from the date of commencement. During this time, you have your first opportunity to evaluate SMIC as a place of work and SMIC has its first opportunity to evaluate you as a staff member.

This period involves special orientation activities plus performance/behaviour evaluations to give you the opportunity to understand your job role before establishing a permanent employment relationship.

Upon satisfactory completion of the probationary period you will become a full time staff member. Please note that if your probationary period is unsatisfactory, SMIC may choose to terminate your employment.

All staff, regardless of the position, or length of service, are expected to meet and maintain SMIC's standards for job performance and behaviour.

SMIC is committed to ensuring the privacy of personal information that you, as a staff member, have provided to us. We have adopted and operate within the National Privacy Principles, as published by the Privacy Commissioner. Further information is available within the SMIC Privacy Policy.

Staff Remuneration Policy

Hours of Work (excluding Managers):

For full-time staff, the hours of work are 38 hours per week. Punctuality is important in providing a proper service to students. Accordingly, you are to be prepared and ready to commence work at the appropriate starting time for each day. If you are unable to attend work on any day or if you will be late for work, you must advise the PEO as soon as it is practical to do so.

Meal Breaks

Hours of work shall be continuous and shall not be broken except for morning/afternoon tea and lunch breaks. Lunch break is of one hour's duration. SMIC retains the right to arrange these breaks so that they do not cause disruption to students, other staff or workflow.

Pay Period

The pay period is Monday to Friday. Pays are processed on the following Wednesday, each fortnight after the fortnight cycle. Staff may find that their pay is not available until the following day. A pay advice slip is provided to all staff.

Annual Leave

Full-time staff are entitled to 160 hours paid annual leave on completion of one year's service with SMIC. Part-time staff are entitled to annual leave on a pro-rata basis. Annual leave is to be taken at a time to be agreed by SMIC and the staff member. In the absence of an agreement it may be as directed by SMIC. Leave advice (except sick leave) must be provided six (6) weeks prior to leave dates requested for annual leave approval. Staff must take annual leave during SMIC's official holidays. Please consult with the PEO prior to planning your annual leave.

The maximum annual leave accrual for all staff at any one time is 30 days. In exceptional circumstances, annual leave accrual can go beyond 30 days for reasonable purposes, but only with the approval of the PEO.

Upon termination of staff employment with SMIC, staff will be paid for any unused annual leave.

Staff Leave, Remuneration, and Reimbursement Policy

Personal Leave

Personal leave applies to full-time/regular part-time staff, but does not apply to casual staff.

Paid personal leave

Paid personal leave is available to staff when they are absent due to:

- Personal illness or injury (Sick Leave)
- Death of an immediate family or household member (Bereavement Leave);
- Caring for an immediate family or household member who is sick and requires the staff's Member's care and support (Carer's leave)

The amount of paid personal leave to which staff is entitled is set out below:

Sick Leave

Full-time staff, if sick and unfit for work and certified by a qualified medical practitioner are entitled to 7 days' paid sick leave per year. A part-time staff's sick leave entitlement is a pro-rata fraction of the 7 days.

Staff must take all reasonable steps to notify SMIC of their absence from work prior to the normal commencement time or, if not practical, as soon as possible thereafter.

A medical certificate will be required for claims for sick leave on the day/s immediately before or after annual leave and Public Holidays.

Staff are not entitled to paid sick leave for any period in respect of which they are entitled to workers' compensation payments.

There will be no payment of portions of sick leave not taken on retirement or termination.

Bereavement Leave

Staff will, on the death of a person with whom the staff are in a bona fide domestic relationship (e.g. spouse/partner) or parent or child, brother, sister, father-in-law or mother-in-law, or grandparents or step-relatives to the level indicated - be entitled on notice to leave up to and including the day of the funeral of such a relation.

Such leave will be without deduction of pay for a period not exceeding the number of hours worked by the staff in three ordinary days' work, provided however, that this clause will have no operation while the period of entitlement to leave under it coincides with any other period of entitlement to leave. The clause does represent up to a maximum of three (3) days for each such bereavement. Should a longer bereavement leave be needed by the staff, other forms of leave entitlement could be made available by SMIC for the staff to use, e.g. sick leave, unpaid leave, and annual leave.

Whether or not staff takes one (1), two (2) or three (3) days bereavement leave is dependent upon the integrity of the staff in terms of their genuine need.

Carer's Leave

Staff with responsibilities in relation to either members of their immediate family or members of their household who need their care and support, in accordance with this clause, are entitled to use any sick leave entitlement for absences to provide care and support for such persons when they are ill. This carer's leave is limited by the available sick leave that staff have e.g. no sick leave left then no carer's leave. Also, for each day used up for carer's leave, staff's sick leave entitlement is reduced by the same number of days. A maximum of five (5) days each year may be taken as carer's leave.

Staff must establish, by production of a medical certificate or statutory declaration, written proof of the need for this type of leave, irrespective of the number of days. This written proof must detail the illness of the person concerned and that the illness is such as to require care by another person.

The term **immediate family** includes:

- A spouse (including a former spouse, a de-facto spouse and a former de facto spouse) of the Staff. A de-facto spouse means a person who lives with the staff as his or her husband or wife on a bona fide basis; and
- A child or an adult child (including an adopted child, a stepchild or an ex-nuptial child), parent, grandparent, grandchild or sibling of the staff or spouse of the staff. The staff shall, wherever practicable, give SMIC notice prior to the absence of the intention to take leave, the name of the person requiring care and their relationship to the staff, the reasons for taking such leave and the estimated length of absence. If it is not practicable for the staff to give prior notice of absence, the staff shall notify SMIC by telephone of such absence at the first opportunity on the day of absence.

Unpaid Leave for Family Purposes

Staff may elect, with the consent of SMIC, to take unpaid leave for the purpose of providing care to an ill family member.

Long Service Leave

Staff entitlement to long service leave will be in accordance with SMIC's Long Service Leave Provisions. The following information details the Long Service Leave Provisions of SMIC:

- There is no payment for under five (5) years' service.
- Between five (5) years and ten (10) years' service, payment will be made if the staff leaves SMIC due to illness, incapacity, or domestic or other pressing necessity (such as taking care of a sick child or other dependent), or if they have been dismissed for any reason, except serious and wilful misconduct, or if the staff dies. Payment is made on a pro-rata calculation of the 10-year benefit.
- After ten (10) years' service, staff are entitled to eight (10) weeks' Long Service Leave.
- Between ten (10) and fifteen (15) years' service, staff are entitled to one (1) week's Long Service Leave for each additional year of service up to fifteen (15) years, a total of five (5) additional weeks.
- After fifteen (15) years' service, staff entitlement then accrues at the rate of two (2) weeks for every year of service.

Parental Leave

Parental leave is the general term encompassing maternity leave, paternity leave and adoption leave. One member of a couple may take parental leave at any one time and in the context of private industry in Australia it is unpaid leave.

At SMIC, staff entitlement to parental leave will be in accordance with the provisions of the Industrial Relations Act 1996 (NSW). Further information can be sought from the relevant government website.

Jury Service Leave

Where staff are obliged to undertake jury service or are subpoenaed to appear before the court as a witness, the difference between the fees or witness expenses (excluding reimbursing payments) paid by the court and the staff member's normal daily pay shall be made up by SMIC provided:

- Staff member produces the court expenses voucher to SMIC.
- Staff member returns to work immediately on any day that he/she is not actually serving on a jury or required as a witness.
- Such payments shall be made up to a maximum of five (5) days in respect of each separate period of jury service.

Reimbursement

SMIC will reimburse, subject to approval, staff for all reasonable travel, accommodation and other expenses that is properly incurred in the exercise of their duties. In respect of travel costs involving your car, SMIC uses the flat rate per kilometre method. Please contact the administration section on keeping of a vehicle logbook where applicable.

Public Holidays

Staff are entitled to leave during official public holidays without deduction of pay. Public holidays as prescribed in the relevant States and Territories and localities are:

- Australia Day
- Easter – Good Friday, Easter Sunday and Easter Monday
- ANZAC Day
- Queen’s Birthday
- Labour Day
- Christmas Day
- Boxing Day
- New Year’s Day

Staff Redundancy & Termination Policy

Redundancy

Redundancy is an option that SMIC may need to pursue at times due to the following conditions:

- Economic downturn
- Technological change
- Merger or restructuring
- Changes to training methods

SMIC will hold discussions with any staff directly affected by such redundancy.

Termination of Employment

In order to terminate the employment of staff, SMIC will give the following notice, or payment in lieu of notice:

Period of Continuous Service with SMIC	Period of Notice
Less than 1 year	1 week
1 year and less than 3 years	2 weeks
3 years and less than 5 years	3 weeks
5 years and over	4 weeks

In addition to the notice above, where the staff are over the age of 45 years and have at least 2 years’ service, SMIC will give an additional one week’s notice or payment in lieu.

Payment in lieu of notice must be made if the required period of notice is not given. In calculating any payment in lieu of notice, the ordinary time rate of pay for the staff concerned will be used.

The period of notice in this clause does not apply in the case of dismissal for serious misconduct, or for staff engaged for a specified period or time or for a specified period or time or for a specific task(s).

Where staff elect to terminate their employment with SMIC, the staff are required to give the period of notice specified in clause (a) above. Where staff fail to give the required period of notice, SMIC may withhold monies due to the staff, equal to the pay for the period of the notice.

Upon receipt of a request by the staff, SMIC will provide a written statement specifying the period of employment and the classification or type of work performed by the staff.

Upon termination the staff shall immediately deliver to SMIC all records, equipment, credit cards, mobile phone, corporate wardrobe and any other property belonging to SMIC, to the satisfaction of SMIC. If relevant, the staff shall return SMIC vehicle and any keys, in good condition, fair wear and tear expected and must settle any staff or credit accounts with SMIC.

Termination for Medical Reasons

SMIC may terminate a staff member's employment by giving such notice to the staff member as it deems appropriate in the circumstances, if SMIC is of the opinion that the staff are incapable of the proper performance of their duties and responsibilities as a result of mental or physical illness.

Before taking any action under this clause, SMIC may require the staff to undergo a medical examination by a registered practitioner nominated by SMIC or, if the staff wishes, two medical practitioners (one nominated by SMIC and one nominated by the staff). SMIC will take into account any report or recommendations made available to it as a result of that examination and any other relevant medical reports or recommendations which it might receive or might wish to be tendered to it by or on behalf of the staff.

In the event of SMIC deciding to terminate employment for medical reasons, the staff will be entitled to any accrued sick leave.

Resources and Equipment

SMIC may provide staff with resources and equipment necessary to perform the duties for which the staff are employed and which are safe and acceptable.

All care must be taken by staff to keep the resources and equipment in good order. No equipment or resources belonging to SMIC shall be removed from the premises without SMIC's permission.

Any resources or equipment provided to staff remain the property of SMIC and must be returned on the termination of employment.

Using SMIC Telephone

Telephone facilities are provided to conduct SMIC business during working hours. Circumstances arise occasionally where it is necessary to make or receive personal telephone calls during business hours but they should be limited in both length and frequency. Long distance, international and competition/chat line calls are not permitted without permission from the PEO. Abuse of this condition will result in staff disciplinary action.

E-mail/Internet Usage

Use of the Internet and E-mail systems by SMIC staff are permitted where such use is suitable for business purposes and supports the goals and objectives of SMIC.

Appearance

All staff are asked to dress in a professional, business-like, and well-groomed manner. We frequently have visitors who visit SMIC. We will make every effort to introduce you to them and we would like to put our “best foot forward” and create a favourable and lasting impression. Physical cleanliness is of extreme importance when dealing with the public.

Abandonment of Employment

If you are absent from your place of work for a continuous period of five working days, without the consent of SMIC and without good cause, you will be deemed to have abandoned your employment. Under these circumstances, SMIC will not be required to provide notice for the termination of your employment.

Media Policy

Staff are prohibited from dealing with the media and are not authorised to give details on SMIC or its operations.

All requests should be referred to PEO.

Faulty Equipment

SMIC appreciates your co-operation in reporting faulty equipment or a maintenance requirement by informing the PEO. Such matters will be attended to promptly.

Your co-operation in this procedure will speed the process of identifying faulty equipment.

Staff Professional Development Policy

Professional Development (PD) enables a broadening of knowledge of current industry practice and ensures that staff stay up-to-date with new regulations and strategies. SMIC expects all staff, both academic and support, to maintain and improve on the standards required to carry out their duties with efficiency, effectiveness and excellence. SMIC values the professional development of its staff and these guidelines are intended to foster the career aspirations of its support staff. The knowledge, skills and expertise gained at an early stage in a career require renewal, development and enhancement if a claim to professional status and competence is to be sustained. Please note that PD is not restricted to formal training courses. For SMIC the issue is not whether it can afford to train staff but rather can it afford to keep staff whom it does not continue to develop professionally.

Formal PD includes attendance at technical meetings, courses, conferences and seminars which may be provided by SMIC or an outside organisation. Distance learning with external assessment or examination can be considered as formal PD.

Informal PD includes private reading, writing technical or scientific papers, participation in the organisation of meetings and extra duties undertaken outside the normal course of employment.

Both components may include general management training such as business skills, project management, foreign languages etc. These activities may be important for career development but their contribution to overall PD is limited to the main objective of the SMIC's PD scheme which is to maintain and enlarge competence within the organisation. SMIC receives newsletters and monthly magazines in addition to other information from industry. These newsletters and other supplied information are produced by industry.

Staff should seek the advice of the PEO about appropriate and relevant training. Selection of PD activities should take into account future career development possibilities. A PD record will form a sound basis for seeking new career opportunities later. PD is particularly relevant during periods of career break, perhaps due to family reasons or unemployment.

PD policy and procedure

The PEO is responsible for training of all staff.

The PEO enhances professional development of all training / assessing staff through regular trainer development observations. Trainers can expect to receive detailed post-observation feedback. These observations provide the opportunity for the trainer to discuss their students / class and various aspects with the PEO. They also provide the PEO with the opportunity to assist trainers with any difficulty they may be experiencing with their training or with particular students.

Staff members who undertake relevant approved external study may be granted permission to leave SMIC to attend lectures during normal working hours - providing this absence does

not interfere with the carrying out of SMIC's business. Please note that the time taken during work hours will be expected to be made up at another time. Staff seeking this leave should discuss it with the PEO.

For non-training staff, on-the-job training is provided and formal training sessions are organised as required. Staff are also expected to take the initiative to keep their level of knowledge current, whether this is by requesting job skill information from the PEO, reading relevant literature or attending workshops and sessions provided by SMIC.

SMIC will also provide external training for staff where it is deemed to be in the best interests of SMIC. This may include attendance at industry-related seminars, workshops and conferences. Staff are required to ensure a *Professional Development Attendance Record* form is signed and returned to the office.

Where SMIC sends a staff member as its representative to an external conference, seminar or training workshop, on return the staff are required to provide a report to their supervisor or conduct a briefing session for colleagues, so that the benefits can be shared by all.

Where a staff member has attended a seminar, conference or workshop on his / her instigation which has been paid for by SMIC and he or she resigns from SMIC within six months, the expense is to be paid back to SMIC.

Training and development needs form a part of the six-monthly Performance Appraisal discussion and it is each staff member's responsibility to discuss perceived needs with the PEO. It is the PEO's responsibility to consider development needs of staff members so that they are equipped to fulfil the requirements of their jobs.

Technological Changes

The methods used to perform certain tasks are changing constantly and SMIC reserves the right to introduce new work methods or equipment from time to time. SMIC shall provide relevant training of staff in regard to any new work methods or equipment, at SMIC's expense. The refusal to undertake such training may lead to a review of the staff's ability to carry out their duties.

Networking & Professional Development for VET Staff

Trainers and assessors are encouraged to subscribe and receive information newsletters from the industry organisations. Trainers and assessors are also encouraged to participate in and attend local assessor and trainer networks and workshops. Staff can also subscribe to or contact Australian College of Training and Development at: <http://www.aitd.com.au>

VET Training Staff Requirements

SMIC requires that sessional Trainers/Assessors provide:

- Current CV - indicating the number of years' experience (employment) in the area in which they are training / assessing.

- Qualifications -recognising the trainers'/assessors' competencies in the area in which they are training.

All VET Trainers/Assessor must have Certificate IV in Training and Assessment TAE40110 or a diploma or higher level qualification in adult education.

Training staff are informed about their responsibilities in the induction program, as follows:

- Plan, prepare, deliver and review training sessions
- Work within the VET Quality Framework (VQF) training and assessment system
- Plan, conduct and review assessment tools and tasks according to Standards for RTO 2015 protocols
- Record each candidate's assessment outcomes against the competency unit
- Use valid, reliable, fair and consistent assessment tools
- Keep accurate attendance records for training and assessment sessions
- Demonstrate SMIC's policies, procedures and standards of performance
- Ensure that all students receive at their induction and throughout their training:
 - Study material that is accurate, consistent, reliable, current, sufficient and compliant with Training Packages
 - A unit profile and an adequate explanation of the assessment process, assessment tasks and context
- Deliver and assess subject content to students enrolled in SMICs courses using the provided material and providing guidance in the learning process for all students
- Report to the PEO on all student / course-related matters
- Co-operate with other course trainers in order to work as a team within the training faculty. There is also a necessity to liaise with industry and retain industry experience in order to ensure that trainers are meeting their currency requirements
- Organise and maintain SMIC's training/learning materials ensuring a master copy of all training material delivered are retained in SMIC training resources file
- Organise and maintain assessment materials
- Facilitate the RPL policy and procedure
- Evaluate & validate curriculum, delivery and assessment materials
- Contribute to staff development programs
- Utilise administrative systems to comply with the VQF
- Implement best practice training/training
- Monitor academic/general welfare of all students
- Monitor and act on student progress
- Implement training improvements
- Input to research market needs to develop business opportunities
- Deliver cost effective training
- Work for the overall benefit of SMIC and its students
- Observe WHS standards and requirements
- Observe relevant legislation - Federal and State - at all times
- Observe SMIC's Code of Practice
- Maintain diary notes on student's issues or any other concerns

- Specifically, ensure compliance with the delivery of training and assessment services against the requirements of the VQF and the Standards for RTOs 2015
- Specifically, ensure compliance with the ESOS Act and the National Code requirements and the administrative reporting and processing of international students.

Staff Disciplinary Policy and Procedure

These procedures are formulated without prejudice to the rights of staff under various Acts of Parliament, including, but not limited to:

- The Industrial Relations Act 1996
- The Annual Holidays Amendment Act 1997
- The NSW Long Service Act, 1955

Breaches of Discipline

A staff member is to be regarded as having committed a breach of discipline if he/she:

- wilfully disobeys or disregards any order or direction lawfully made or given under a rule or within the terms of their individual contract or in accordance with their position description;
- is convicted by a court of an offence that is of a kind that may be reasonably regarded as constituting a serious impediment to the discharge of his/her functions or the discharge by other members of staff of their functions;
- disregards the Code of Conduct or
- demonstrates unsatisfactory performance or behaviour (except in cases of serious misconduct where summary dismissal is warranted).

Unsatisfactory performance or behaviour

Unsatisfactory performance or behaviour may include:

- Not performing the job to an acceptable standard that complies with SMIC policy
- Continually being late for work
- Having a poor attitude towards supervision, colleagues, students or visitors, both internal and external
- Excessive absenteeism
- Theft, damage or misuse of SMIC property and/or equipment.

Circumstances leading to summary dismissal may include:

- Serious or wilful misconduct - conduct which involves dishonesty or harm or a real possibility of injury or harm to others.
- Misconduct while acting in the capacity of a staff member which may include insubordination, abusive language, "sleeping on the job", violence, obscenity, harassment or failure to observe safety rules.
- Disobedience - serious or deliberate flouting of any lawful and reasonable order of the employer.

- Absenteeism - failure to report for work without explanation or notification and exhibiting this regular pattern of behaviour.
- Drunkenness or drug taking - the degree of intoxication and the extent to which it affects the job and/or safety of self and others.
- Incompetence - can arise if staff are assumed to possess a particular skill but does not in fact do so.
- Breach of duty of fidelity - work that damages the employer and is done without the employer's knowledge.
- Criminal offences - depend on circumstances and impact on the business.

Inquiries into Alleged Breaches

The PEO may cause inquiries to be made into any breach of discipline that is alleged to have been committed by a member of staff. A member of staff may be suspended from office either:

- With pay, or
- Without pay (but for no more than seven days)

The suspension ceases to have effect when the matter is dismissed or determined. If it is dismissed, then the staff member is entitled to be reimbursed for any withheld pay. If, after completion of inquiries, it is substantiated that the member of staff may have committed a breach of discipline, then:

- the staff member may be counselled, or
- the staff member may be counselled and cautioned, and/or
- asked to provide a written representation to explain the alleged breach(es)

Penalties

The PEO may impose penalties after hearing all sides to a dispute. Penalties may include one of the following:

- caution or reprimand
- demotion
- suspension for a period not exceeding 30 days
- exclusion from specified facilities or classes of the College
- a fine not exceeding one week's salary
- dismissal

In considering a penalty, staff's previous account of disciplinary record may be taken into account.

Staff Appraisal Policy and Procedure

Each trainer, both permanent and casual, will be regularly appraised by the relevant PEO on the quality of their training. The PEO is responsible for managing the appraisal process. The PEO provides appropriate feedback to trainers. All trainers will be subject to an appraisal process for at least one Unit per term. The PEO may also observe classes, gather informal student feedback and discuss trainer's ongoing performance with them in order to further

monitor trainer's performance. All academic staff will be appraised by the end of each Term. Trainers will have an appraisal as per the following requirement:

- End of Term by way of Observation and Student Feedback
- End year by way of Overall Performance Evaluation

Non-Training Staff Performance & Development Appraisals

Staff will be required to participate fully in any formal Staff Appraisal Session conducted by the PEO. Staff performance will be reviewed on an ongoing basis against clearly defined and agreed performance objectives. Appropriate and timely feedback will be provided to staff at all times. In general, a six-monthly Performance Appraisal session will be conducted by the PEO.

Staff Complaints Policy

SMIC recognises that differences and grievances can arise from time to time and therefore it has a fair and equitable process for dealing with complaints.

If you have a job-related problem, questions or complaint under normal circumstances, you should discuss it with the PEO. The simplest, quickest, and most satisfactory solution often will be reached at this level.

Any complaints about a staff member / student / program will be treated seriously, investigated thoroughly and dealt with according to the merit of the complaint. All staff are advised that all necessary steps will be taken to ensure that no victimisation occurs against anyone who makes a complaint.

If the staff member is having a problem with another staff member or with a student, it is always recommended that the problem is discussed directly with that person.

If the problem is still not resolved, then the problem should be discussed with the PEO and the problem will be documented and a copy given to the staff member.

If the problem is still not resolved to satisfaction within two (2) or three (3) days, then the staff member should present their written case the PEO.

If the staff member is still not satisfied then, the staff member may seek the services of an external mediator to resolve the problem.

Independent Mediation

You may choose to use the services of a mediator to resolve the problem. For independent mediation SMIC recommends Resolution College, the national association of dispute resolvers with their Head Office details as follows:

Address: Level 1, 13 Bridge Street Sydney

NSW Phone: (+61 2) 9251 3366

Free call: 1800 651 650

Website: www.resolution.College

Alternatively, you can choose a mediator yourself.

Note: a service fee may be charged by the mediator. You should inquire about current fees when you contact the mediator.

Staff Absence Policy and Procedure

SMIC's training staff are the support base for the quality delivery provided to students attending SMIC, as such, their role is vital and any absence must be covered, and alternative arrangements made for class delivery.

All trainer absence will be covered in the most appropriate manner dependant on the time of advice and all available facilities. It is the incumbent trainer's responsibility to provide proposed lesson plans and support material for the period of their absence.

Any Trainer unable to attend a class due to illness or other unanticipated causes must inform the PEO.

- All intended lesson plan material for the period of absence must be supplied so that alternative delivery arrangements may be made
- The PEO may be contacted on SMIC phone number or her/his email
- On return to SMIC after absence it is necessary to complete the Application for Leave form, and submit it to the PEO by close of business on the day of return
- The days of absence should also be noted on the appropriate fortnightly Timesheet.

Statutory and Regulatory Requirements Policy and Procedure

SMIC has procedures in place to ensure that compliance with Commonwealth / State legislation and regulations relevant to its operations is integrated into its policies and procedures and that compliance is maintained.

SMIC ensures that compliance with Commonwealth/State legislation and regulations relevant to its operations is integrated into its Quality Management system via Policy, Procedure, Work flows and work practices.

SMIC follows all relevant legislation for registered training organisations and in particular:

- Standards for Registered Training Organisations (RTOs) 2015
- Work Health & Safety Act (2011)
- Anti-discrimination, access and equity undertaking
- Affirmative Action (Equal Employment Opportunity for Women) (1986)
- The Education Services for Overseas Students (ESOS) Act (2000)
- National Code of Practice for Providers of Education and Training to Overseas Students 2017

SMIC's Code of Practice includes reference to:

- Australian Skills Quality Authority (ASQA), the VET Quality Training (VQF), Standards for Registered Training Organisations 2015, and

- The Staff Handbook includes detailed references to compliance with current EEO, WH&S, Duty of Care, Harassment and Discrimination requirements.

Staff are referred to the following websites at induction for further information on:

- Work Health & Safety Act 2011
- Human Rights and Equal Opportunity Commission Act 1986
- Sex Discrimination Act 1984
- Disability Discrimination Act 1992
- Racial Discrimination Act 1975
- Anti-Discrimination Act 1977
- Privacy Principles 2014
- Affirmative Action (Equal Employment Opportunities for Women) Act 1986
- Education Services for Overseas Students Act 2000
- ESOS Regulations 2001
- National Code of Practice for Providers of Education and Training to Overseas Students 2018

Procedures for Complying with Legislation and Regulations

This procedure is in place to ensure all SMIC staff operate in accordance with legislative and regulatory requirements.

Regulations and legislation are constantly under review to meet changing needs and demands. Staff are encouraged to research and report on changes and/or potential changes which may affect SMIC's training products and services. SMIC continually monitors Federal and State legislative and regulatory requirements that may affect its policy and procedural changes. However, SMIC requires all staff to maintain a high level of professional development by updating and disseminating information which is public knowledge and readily available via internet web sites.

Two web sites that provide more information about compliance are:

www.training.gov.au Is the official national register of information on training packages, qualifications, courses, units of competency and RTOs.

<http://www.asqa.gov.au/> The ASQA web site provides information on registration details, accreditation and quality control matters and continually updates information via its 'latest news' and email alerts.

Disseminating & Sharing Information

SMIC monitors and maintains a continual review of legislative and regulatory requirements. When changes significantly affect the policies or duties of staff, this information is disseminated to staff via the following methods:

- Staff meetings
- Email to each staff member

Staff are encouraged to share relevant information at staff meetings and staff notice board information.

Internal Communication

To ensure all trainers/assessors and administration staff are fully aware of any changes to SMIC policies and procedures, internal communication is implemented via four optional systems:

- Verbal communication via arranged meetings.
- Electronic communication including email and telephone.
- Informal communication via open office space office communication.
- Written communication memos and on the staff notice board.

Continuous Improvement Policy

This policy aims to provide a framework for SMIC to identify and act on operations for continuous improvement. The ultimate responsibility for the maintenance of this policy lies with the PEO and therefore, is ultimately responsible for:

- Risk management, and
- Continuous improvement program implementation

SMIC employs a quality management approach and processes whereby continuous improvements are implemented. This approach requires all staff and/or students to promptly advise the PEO of improvements which need to be implemented in SMIC operations, systems and services offered to clients, students and staff via a continuous improvement register.

The approach is designed to:

- Allow clients, students and staff to identify and correctly channel identified opportunities for improvement to the PEO for addressing and implementing
- The continuous improvement register is to
 - Facilitate correct process flows from policy area to improvements to implementation
 - Ensure that the continuous improvement actions are correctly disseminated to all policy relevant areas for implementation

Copyright, Intellectual Property and Computer Software Policy

SMIC complies with Australia's laws dealing with copyright, intellectual property and computer software and has a Copyright Agency Licence (CAL) in place

Sydney Metropolitan International College Pty Ltd is the owner of the licences of all software currently being used at SMIC.

SMIC undertakes to ensure any future software being installed in computers for use at SMIC is similarly licensed.

Intellectual Property

All SMIC materials developed by staff (training or administrative) whilst in the employ or contracted to SMIC become the intellectual property of SMIC. This intellectual property ownership is stated in the trainer contract and Letter of Appointment.

Meetings

SMIC actively promotes informal communication between all staff and management personnel. In addition to this practice there are formal procedures and meetings that are conducted and observed to accommodate those situations and occurrences that require more formal approaches.

Staff are expected to attend any meetings designated by the PEO. All meetings follow standard meeting protocols and thus if a staff member is unable to attend formal apologies are expected.

The date for meetings is set by the PEO.

A General Staff meeting is held once a fortnight.

Work and Environmental Health and Safety Policy

SMIC is fully committed to providing a healthy and safe working environment for staff, students and visitors. In compliance with the requirement of the Work Health and Safety Act and other associated legislation, the College aims to prevent injuries and work-related ill health by continuing to develop and update its WH&S policies and procedures and to implement them in the workplace.

Workplace Inspections

Workplace inspections are a way of identifying hazards in the workplace. Inspections also provide a system to monitor whether hazards have been fixed. A workplace inspection should be conducted at least once a year.

Workplace inspections require a systematic approach so as to identify all hazards. When identifying hazards, interaction between the following factors should be considered:

- Work environment
- Plant, equipment or substances
- Work practices
- Individuals involved

Reporting of Accidents or Injuries (Workers' Compensation)

In order to ensure that the high level of work health and safety standards are maintained within our workplace, it is necessary for SMIC to receive early notification of any work-related accidents or injuries, including those sustained travelling to and from work.

If an injury occurs in the campus, no matter how slight, whether to students or staff please report it immediately to the PEO.

Reporting of an accident or injury to a staff member is a WorkCover requirement. Failure to report an accident or injury could affect a subsequent Workers' Compensation claim. A Workplace Incident Report must also be completed.

Hazard Identification

To ensure that any workplace hazards are identified and effectively eliminated or minimised, SMIC encourages both staff and students to report any potential hazards on a Hazard Report Form.

First Aid

A First Aid Kit is located in the Main Office. The PEO is the First Aid contact person.

Fire Evacuation Procedure and General Emergencies

Fire is an ever-present hazard, especially where electrical equipment is concerned. Please familiarise yourself with the fire extinguisher locations and the building exits. This information will be pointed out to you during your induction, but it is good practice to review this information periodically. All staff should know where the extinguishers are located and how to operate them effectively.

In case of fire, an alarm bell will ring. A fire evacuation map is located on the wall in each room and you are asked to familiarise yourself with it and the following emergency evacuation procedures:

- Immediately warn your fellow staff and students of any risk, hazard or danger
- Quickly collect important personal belongings
- Ensure fellow staff and students are exiting the building
- Follow to the exit nearest you.
- Proceed to the nearest emergency exit and move to the Assembly area located in front of the College building.
- Participate in a roll call and report to the PEO.

Important: In cases of emergency, please contact the emergency services on “000”.

Violations of policy

If you think that you need help, you can speak with the PEO, with the assurance that he will do everything possible to help you. No disciplinary action will be taken if you initiate this first move.

The disciplinary actions

If you do not voluntarily seek assistance, and if you are found to be in violation of this policy, you will be terminated.

Legal Aspects

New South Wales law prohibits the possession, use, distribution, manufacture or sale of controlled substances. Possession and use of narcotics, marijuana, or hallucinogens may lead to jail penalties or fines. If there is evidence to support an allegation that you are selling or using drugs, illegal prescriptions, or drug manufacturing apparatus, the police will be notified and furnished with such evidence. The following services can provide additional information and assistance to help you in remaining drug-free:

- Alcohol and Drug Information Service (02) 9361 2111
- Drug & Alcohol Multicultural Education Centre (02) 9699 3552
- Adolescent Drug & Alcohol Treatment (02) 9310 0133
- Drug Intelligence Reporting Centre Hotline 1800 813 784

Occupational Rehabilitation / Return to Work Policy

SMIC is committed to an Occupational Rehabilitation / Return to Work Policy that provides a safe and healthy working environment and a structured injury management program to minimise absence from work due to illness or injury. SMIC is committed to ensure that the occupational rehabilitation process is commenced as soon as possible after an injury and will speedily re-instate incapacitated staff to the fullest working capacity possible consistent with medical advice.

Scope

The Occupational Rehabilitation Policy applies to any staff at SMIC who is injured at work or absent from work through occupational injury or illness. SMIC will:

- Prevent injury and illness by providing a safe and healthy working environment.
- Consult with staff to ensure that the rehabilitation program works effectively.
- Ensure that a return to work process commences as soon as possible after an injury in a manner consistent with medical advice.
- Ensure that the return to work as soon as possible after an injury is a normal practice and expectation.
- Provide transitional duties, where practicable, for an injured worker, as an integral part of an Injury Management/Return to Work process.
- Ensure that participation in a return to work program will not, in itself, prejudice an injured worker.

This policy statement symbolises SMIC's commitment to the creation of a workplace climate that supports work plan-based rehabilitation and to ensuring that a safe return to work as soon as practicable by an injured or ill staff are a normal practice and expectation.

Duty of Care Policy

Duty of care requires everything 'reasonably practicable' to be done to protect the health and safety of others at the workplace. This duty is placed on:

- all employers

- their employees
- any others who have an influence on the hazards in a workplace

The latter includes contractors and those who design, manufacture, import, supply or install plant, equipment or materials used in the workplace.

‘Reasonably practicable’ means that the requirements of the law vary with the degree of risk in a particular activity or environment which must be balanced against the time, trouble and cost of taking measures to control the risk. It also requires changes in technology and knowledge to be incorporated but only as and when it is efficient to do so. The duty holder must show that it was not reasonably practicable to do more than what was done or that they have taken ‘reasonable precautions and exercised due diligence’. Specific rights and duties logically flow from the duty of care. These include:

- a safe working environment and adequate welfare facilities;
- information and instruction on workplace hazards and supervision of employees in safe work;
- monitoring the health of their employees and related records keeping;
- monitoring conditions at any workplace under their control and management.

Drug Free Policy

SMIC aims to create an environment where staff and students are educated about drugs and drug issues, where non-medicinal drug use is discouraged, and where sanctioned drug use takes place in controlled circumstances. SMIC actively discourages all drug use which is detrimental to the health and well-being of students, or which is not sanctioned by medical authorities.

Sexual Harassment Policy

SMIC is committed to ensuring that the working environment is free from sexual harassment. Sexual harassment will not be tolerated under any circumstances and disciplinary action will be taken against any employee or student who breaches the policy. Sexual harassment is any unwanted, unwelcome or uninvited behaviour of a sexual nature, which makes a person feel humiliated, intimidated or offended. Sexual harassment can take many different forms and may include physical contact, verbal comments, jokes, propositions, and the display of offensive material or other behaviour, which creates a sexually hostile working environment.

Sexual harassment is not behaviour, which is based on mutual attraction, friendship and respect. If the interaction is consensual, welcome and reciprocated it is not sexual harassment. Sexual harassment is against the law. In particular, sexual harassment can be a breach of parts of:

- smutty jokes or comments;
- making promises or threats in return for sexual favours;
- displays of sexually graphic material including posters, pinups, cartoons, graffiti or messages left on notice boards, desks or common areas;
- repeated invitations to go out after prior refusal;

- “Flashing” or sexual gestures;
- sex based insults, taunts, teasing or name calling;
- staring or leering at a person or part of their body;
- unwelcome physical contact such as massaging a person without invitation or deliberately brushing up against them;
- touching or fiddling with a person’s clothing including lifting up skirts or shirts, flicking bra straps, or putting hands in a person’s pocket;
- requests for sex;
- sexually explicit conversation;
- persistent questions or insulations about a person’s private life;
- offensive phone calls or letters;
- staling; and
- offensive email messages or computer screen savers.

General principles of liability

Personal Liability:

Persons or organisations covered by the sexual harassment provisions of the Sex Discrimination Acts are personally liable for -

- their own acts of sexual harassment;
- any act of victimisation; or
- causing, instructing, inducing, aiding or permitting sexual harassment (this is called “accessory liability”)

Vicarious liability:

- The Sex Discrimination Act stated that an employer or principal, including a union, is liable for acts of sexual harassment committed by employees or agents in connection with their duties unless by “all reasonable steps” were taken by the employer or Principal to prevent sexual harassment occurring. This is call “vicarious liability”.
- Reasonable steps must be active, preventative measures.
- The obligation to prove that all reasonable steps were taken rests with the employer or Principal.
- Lack of awareness that the harassment was occurring is not in itself a defence for employers or Principals.
- Even when an employer or Principal is found to be vicariously liable for sexual harassment committed by individual employees or agents the individual remains personally liable for their acts.
- However, in practice, employers who are vicariously liable for sexual harassment are generally more likely to end up paying compensation to a complainant, because of their greater capacity to pay than the individual harasser.

Agents

Depending on the particular facts of a case, agents in the area of employment could include:

- Volunteer workers
- Holders of unpaid honorary positions
- Members of the board of directors
- Contractors and consultants and
- Business partners

Sexual harassment is prohibited in most workplace situations and relationships. The key to understanding what is covered by federal sexual harassment legislations is the relationship between the harasser and the harassed. Note that sexual harassment does not necessarily have to take place in the workplace to be unlawful. Sexual harassment in employment may also take place in locations associated with work, such as conferences and training centres, restaurants for work lunches, hotels for work trips or office parties.

Remedial measures

Staff and students can assist in the prevention of sexual harassment in the workplace by reporting early concerns about unwelcome behaviour before it becomes a serious sexual harassment issue. There is a general grievance and complaints procedure to assist in dealing with these issues. There is no charge made by SMIC to students who choose to pursue grievances through these procedures.

The steps are as follows:

- The student (or nominee) initiates the grievance process by discussing orally, if possible, the nature of the grievance with the person with whom the grievance is held. In cases where a power differential exists, the student may not feel comfortable in doing this and therefore may proceed to Stage Two of this process. Alternatively, the complainant may be represented by a third party if desired.
- If appropriate, the student or the person with whom the grievance is held may approach the PEO and initiate the mediation process.
- If the initial response does not satisfy the student or the student is not able to implement Stage One or Stage Two of this process, he/she may submit a written description of the grievance to the Principal. The staff member who receives such a written application will process the grievance application within 10 working days.
- The Appeal process does not preclude the student seeking redress in other forums outside SMIC. For example, the student may wish to take the matter further with such bodies as -
 - The Anti-Discrimination Board, or
 - The Human Rights & Equal Opportunity Commission (Federal).
- A nominee of the student may be included at any stage in the grievance handling negotiations if the student so chooses.

SMIC will:

- Respond to grievances within a reasonable time (normally taken to mean 28 days);
- Retain confidential records of grievances for five years and allow parties to the complaint access to those records;

- Ensure that students will not be disadvantaged, bullied, harassed or victimised for submitting a grievance or appeal for consideration and as outlined in this policy;
- Notify incoming students of the location of this policy;
- Induct incoming staff in the location of this policy and in its correct use; and
- Alter this policy immediately and without notice where any conflict arises with relevant legislation and in such cases the requirements of the legislation will take precedence.

Informal complaint procedures

In case the preceding procedures seem too formidable, informal procedures can be followed with the emphasis on resolution rather than factual proof or substantiation. Informal ways of dealing with sexual harassment can include the following actions:

- The individual who has been harassed wants to deal with the situation themselves but may seek advice on possible strategies from the Student Support Officer (in the case of Students) or PEO (in the case of Staff).
- The individual who has been harassed asks their representative to speak to the alleged harasser on their behalf. He/she will privately convey the individual's concerns and reiterate the organisation's sexual harassment policy to the alleged harasser without assessing the merits of the case.
- A complaint is made, the harasser admits the behaviour, investigation is not required, and the complaint is resolved through conciliation or counselling of the harasser.
- A Student Support Officer or PEO observe unacceptable conduct occurring and takes independent action even though no complaint has been made.

Informal action is usually appropriate where:

- The allegations are of a less serious nature but the individual alleging the behaviour wants it to cease nonetheless; or
- The individual alleging the behaviour wishes to pursue an informal resolution; or
- The parties are likely to have ongoing contact with one another and the complainant wishes to pursue an informal resolution so that the working relationship can be sustained.

An employee should not be required to exhaust informal attempts at resolution before formal action commences. Complainants have the right to formalise their complaint or approach an external agency, such as Human Rights and Equal Opportunity Commission (HREOC), at any stage

The Vocational Education and Training System

What is VET?

VET stands for vocational education and training - that is, study and/or practical training that develops the skill and knowledge that people need for employment.

What is the VET sector?

The VET sector is the part of the education system that provides courses and training programs related to employment. The other components of the education system are SMICs sector, the higher education sector and the adult and community education sector. These are connections between the qualifications in the different sectors, and it is possible for a person to have what they learned in one sector recognised in another sector.

The VET sector includes the TAFE (technical and further education) system and private Schools and institutions, and can also include businesses that provide on-the job training for their staff. As well as the VET providers, it includes organisations such as those whose role is to ensure that the needs of industry and government are addressed, design courses or training programs, conduct assessments, or manage apprenticeships and traineeships.

There is a national system for ensuring that when a VET provider is registered and the qualification it offers is based on Training Packages or accredited courses, the qualifications will be recognised anywhere in Australia.

For information on all training packages, courses or VET providers, go to the National Register web site www.training.gov.au

The Australian Qualification Framework (AQF)

The AQF provides a national framework for all education and training qualifications in Australia. There are 14 qualifications in the AQF, of which 8 are relevant to the VET sector:

Schools Sector	VET Sector	Higher Education Sector
		Doctoral Degree
		Master Degree
	Graduate Diploma	Graduate Diploma
	Graduate Certificate	Graduate Certificate
		Bachelor Degree
		Associate Degree
	Advanced Diploma	Advanced Diploma
	Diploma	Diploma
	Certificate IV	
	Certificate III	
Certificate II	Certificate II	
Senior Secondary Certificate of Education	Certificate I	

The adoption of the AQF for all vocational education and training must ensure that the training delivered and assessed is accurate and consistent and is based on the competency standards / modules and performance criteria / learning outcomes listed in Training Packages or accredited courses.

National Training Packages and Accredited Courses

National Training Packages are an initiative designed to make training more flexible and affordable for industry. Training packages support a wide range of learning pathways. Training packages are a collection of qualifications related to a specific industry sector (e.g. Business, Health, Hospitality, Transport etc.)

Qualifications undertaken within Training Packages can be achieved through a variety of evidence-based pathways.

Courseware, information, documentation and assessments provided to students must reflect the nationally endorsed competency standards, assessment guidelines and competency packaging advice outlined in the relevant Package.

What is an Accredited Course?

The predecessors to Training Packages, 'accredited courses' are registered with a state accreditation board and are approved for a period of up to 5 years. They must contain content and standards appropriate to national competency standards and fulfil the purpose for which they were developed.

An accredited course is owned by the developer of the course. RTOs must seek copyright licenses and approval to use the course from the course owner(s).

Consultation with Industry

SMIC is committed to providing up-to-date current information. This commitment is only possible by consulting with industry using one or more of the following methods:

- Consultation with employer(s)
- Consultation with trainers/assessors
- Consultation with participants
- Membership of professional bodies such as AIM, CPA or ACS
- Consultation with industry bodies such as the Service Skills Organisations
- Other RTOs
- Analysis of market trends
- Articulation with other bodies e.g. universities
- Consultation with Unions
- Legislation

Role of the RTO

RTOs are registered nationally by ASQA in accordance with the VET Quality Framework (VQF). RTOs deliver a range of VET packages and courses to students who are then assessed according to Training Package competencies and Accredited Course requirements.

SMIC is registered by the Australian Skills Quality Authority (ASQA).

To maintain this approval an RTO must satisfy ongoing audits where they must produce documents and evidence to ensure:

- Nationally Recognised Training (NRT) meets training and assessment specified in national/enterprise Training Packages or Accredited Courses
- All trainers and assessors are competent in the functions they perform and qualified to meet the requirements specified in the training package and/or accredited course
- All training and assessment is planned, documented and implemented appropriate to the Australian Qualification Framework Implementation Handbook and the Standards for Registered Training Organisations
- All students receive accurate, consistent and reliable course delivery and assessment information at the commencement and throughout their training
- All Certificates, Qualifications and Statements of Attainment are issued according to the Australian Qualification Implementation Framework Handbook and the Standards for Registered Training Organisations
- All training records are maintained and managed by recording competency standard assessments, including related off and on-the-job training assessment where required.

RTO Scope of Registration

An RTO can only deliver and issue certificates and qualifications approved on its Scope of Registration. An organisation's scope of registration may change over time to meet target and training market needs. You can check an RTO's scope on training.gov.au

This website also provides Competency Unit Details, the elements and performance criteria which when combined make up the Competency Unit, evidence guides and the variables which can assist when designing or seeking assessment tools and evidence.

Other Policies and Procedures

Staff are required to access SMIC Website for other Policies and Procedures that are absolutely important for staff to understand, and follow.

Conclusion

As you can appreciate, your full co-operation and compliance with all of SMIC's policies, procedures and standards will at all times be appreciated. We hope that your employment with SMIC is a satisfying experience and we look forward to your valued contribution to our organisation and on-going success.

APPENDIX 1: Staff Induction Checklist

Staff Induction Checklist

Effective Induction Program Checklist

- a letter of welcome with the letter of appointment including an outline of the induction program;
- new staff member is welcomed to SMIC, given a tour, shown their desk and allocated a pigeonhole;
- a handbook of information about SMIC, its policies, its objectives and procedures is given and discussed with the new staff member;
- an experienced trainer/s (mentor) is allocated to work with each new trainer;
- new trainers are involved in small group discussions as well as general staff meetings;
- specific times for induction activities are established;
- all staff are sensitised so they are able to acknowledge and support the steep learning curve necessary in a busy campus;
- a reduced training load is allocated for a graduate trainer to enable them to spend time with exemplary classroom practitioners to observe good practice or meet with specialist support staff; and
- a follow-up interview is conducted at the end of one month.

Activity	Contact	Signed off	Comments
Tour of Operations	PEO	_____ ____/____/____	
Payroll, HR Policies, WH&S	PEO	_____ ____/____/____	
Training Materials	PEO	_____ ____/____/____	
Equipment Use & Items	PEO	_____ ____/____/____	
Compliance Templates	PEO	_____ ____/____/____	
Policies & Procedures	PEO	_____ ____/____/____	

Personal Information

- Tax declaration completed
- Original qualifications sighted and verified copies retained
- WWC Check (if applicable)

System Information

- Photocopy PIN allocated
- Email address issued
- Internet and email policy read and signed

Duties and Support Awareness

- Awareness of SMIC's mission
- Organisational chart
- Staff Handbook
- Staff learning contract, training and development
- Student support services
- Awareness of version control procedures
- Identify learning support for language, literacy and numeracy
- SMIC's policies and procedures read and understood, e.g.
 - Code of Conduct
 - Equal opportunity
 - Grievances, assessment and complaint handling for staff and students
 - Privacy
 - Records
 - Intellectual property
 - Confidentiality
 - Copyright
 - Disciplinary regulations
 - Expectations of students
 - Expectations of staff members
 - Prevention of sexual harassment
- Access to network resources identified
 - Training resources
 - Equipment
 - Timetables
 - Lesson plans
 - Templates
- I have been shown how to
 - Apply for leave
 - Notification of sickness
 - Book resources – e.g. TV, Video Recorder, Projector

My Area

- Office equipment set-up, keys, access cards issued
- Introduction to staff and co-workers
- Organisational structure of SMIC explained
- Shown offices, stationery, archiving, toilets and recreational areas
- Budgets/purchasing process has been explained
- I have been shown how to
 - Operate the photocopier
 - Operate the printer

Training obligations, responsibilities and resources

- Scope of registration details
- Legislative obligations
 - WH&S – Fire Drill

- Workplace Harassment
- Anti-Discrimination
- ASQA, ESOS Act, National code 2018

Cert IV and other qualifications – verified copy retained

- Student training and assessment strategy
- Design, develop and implement assessment tools as per relevant Assessment Guidelines
- Assessment Policy and Procedures
- Assessment Reporting
- Training Package – Identification of competencies
- Report non-academic performance to PEO as per Std. 8 policy and procedure requirements
- Procedures for student Recognition of Prior Learning, Credit Transfer, Mutual Recognition
- Entry requirements/Pre-requisites
- Identify and informed of competencies to be achieved by students
- Trainer/assessor record keeping practices

Contract

- Supervisor has explained
 - Work hours
 - Timetable
- Conditions of probation discussed (contractual position)
- Professional development program
- Role responsibilities – duty statements explained
- Signoff understanding of role and responsibilities
 - Code of conduct
 - Equal opportunity policy
 - Grievance handling – staff and students
 - Privacy policy
- Contract of Employment outlining remuneration is signed
- Tax declaration form
- Duty Statement Issued

I have been provided with the information outlined above, and understand my obligations to comply with Policies and Procedures and Staff Handbook, and have had my duties and training obligations explained to me.

New Staff PEO.....

Signature Signature

Date /...../..... Date /...../.....

Revision History

Revision	Date	Description of modifications