



**Student Rights, Responsibilities &
Behaviour Policy**

Student Rights, Responsibilities & Behaviour Policy

Policy Content

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

1. Purpose

The purpose of this policy is to define student rights, responsibilities, expected standards of behaviour and the RTO's response to behavioural concerns. This ensures a safe, respectful, and lawful learning environment, in alignment with the strengthened student protection and governance requirements of the **ESOS Amendment Act 2025** and the Standards for RTOs 2025.

2. Policy Statement

The RTO is committed to maintaining:

- A safe, inclusive and supportive learning environment
- Behavioural expectations that uphold respect, dignity and legal compliance
- Fair, clear and consistent responses to behavioural concerns
- Protection of overseas students through transparent rights and compliance obligations
- Zero tolerance for bullying, abuse, harassment, discrimination or threats to safety

All students are expected to demonstrate respect, integrity and positive conduct at all times while engaged with the RTO.

3. Scope

This policy applies to:

- All currently enrolled students (domestic and overseas)
- Prospective students once application or enrolment activity commences
- All delivery modes: campus, online, work placements, and any RTO-related premises

- Situations affecting attendance, academic progress, welfare and visa compliance (for international students)

4. Objectives

This policy aims to:

- Establish clearly defined student rights and responsibilities
- Promote safe and respectful conduct among all students
- Support lawful and ethical behaviour consistent with ESOS compliance obligations
- Provide fair processes to manage behaviour concerns and allegations of misconduct
- Protect the welfare of students and staff
- Ensure behaviour management is documented, transparent and risk-based

5. Procedures

5.1 Communication of Rights and Responsibilities

The organisation implements the following procedure to ensure all students clearly understand their rights, responsibilities and expected standards of behaviour before and during their enrolment.

1. Development and maintenance of student information

The Compliance Team, in consultation with Academic and Student Support management, develops and maintains written information on student rights, responsibilities and behaviour expectations. This information is incorporated into:

- the Student Handbook
- Letter of Offer / Written Agreement templates
- orientation materials and presentations
- relevant policies and procedures published on the organisation's website and learning management system.

All documents are reviewed regularly to ensure alignment with the ESOS Act 2000 (as amended 2025), the National Code, visa conditions for overseas students, and internal disciplinary and support procedures.

2. Pre-enrolment provision of information

During the pre-enrolment stage, staff responsible for admissions ensure that prospective students receive clear and accessible information about:

RTO Number: 31518	CRICOS Number: 03569A	Author: Nomi College
Version Number: 2.0		Page 3 of 19

- their rights to a quality education, safe environment, support services, and complaint and appeal processes
- their responsibilities regarding behaviour, class participation, academic integrity, attendance and course progress
- any consequences of breaching behaviour requirements, including potential impact on enrolment and, for overseas students, on student visa status.

This information is included in the course information pack, Letter of Offer, and Written Agreement. Staff must not ask students to sign any document until the information has been provided and students have had a reasonable opportunity to read and clarify it.

3. Confirmation of understanding prior to acceptance

Before accepting an offer, students are required to confirm that they have received and understood the information on rights, responsibilities and behaviour standards. This is done by:

- signing the Written Agreement or Acceptance Form, which includes a specific declaration acknowledging the Student Rights, Responsibilities & Behaviour Policy
- returning the signed document to the Admissions Officer.
For overseas students, additional checks are conducted where needed (such as simple language explanations or translated summaries where appropriate) to ensure understanding is genuine and not merely procedural.

4. Orientation delivery and explanation

At the commencement of study, all new students must attend an orientation session. The Student Support or Academic Manager ensures that the orientation program includes a dedicated segment covering:

Student Rights

Students are entitled to:

- A safe, inclusive, and respectful learning environment free from bullying, harassment and discrimination
- Quality training, assessment and academic support delivered by qualified trainers and assessors
- Accurate and transparent information about their course, fees, timetable, resources and support services
- Reasonable access to learning facilities, equipment, and digital platforms required for training and assessment

- Fair and valid assessment with constructive feedback
- Access to student support, wellbeing assistance and referral services when needed
- Privacy and protection of personal information in accordance with applicable legislation
- Opportunity to provide feedback and participate in continuous improvement processes
- Fair and transparent handling of complaints and appeals, with the right to escalate matters externally if unresolved
- For overseas students protection under the ESOS Act, the National Code, Tuition Protection Service (TPS) and access to support related to maintaining visa compliance

Student Responsibilities

Students must:

- Treat trainers, staff, other students and community members with courtesy and respect
- Comply with all organisational rules, policies and procedures, including safety and conduct requirements
- Participate actively in scheduled classes, assessments and training activities
- Uphold academic integrity by avoiding plagiarism, cheating, falsification or assisting others to breach integrity rules
- Maintain cleanliness of campus spaces and use resources, equipment and online systems properly
- Follow all workplace health and safety instructions, especially during practical training or work placement
- Communicate respectfully and resolve issues constructively through appropriate channels
- Maintain current and accurate personal contact details with the organisation
- For overseas students comply with visa conditions including attendance, course progress, maintaining valid health insurance, and lawful behaviour in Australia

5. Visa-related requirements and ESOS obligations (overseas students)

For overseas students, orientation content specifically addresses the link between conduct, course engagement and visa compliance. Staff explain:

- how poor behaviour, persistent absenteeism or non-participation can lead to intervention, disciplinary action and, ultimately, reporting to the relevant government system as required under ESOS

- the student’s responsibility to act lawfully, follow provider rules, and cooperate in any support or intervention process
- the role of education agents being limited to recruitment and advice, and that only the provider can make decisions affecting enrolment and reporting.
Students are given the opportunity to ask questions and, where necessary, are provided with follow-up clarification in plain English.

6. Ongoing access to information during study

Throughout the period of enrolment, the organisation ensures that information on rights, responsibilities and behaviour remains easily accessible by:

- publishing the policy and related procedures on the organisation’s website and learning management system
- providing printed copies in student common areas or reception where appropriate
- reminding students of key behaviour expectations in class, during work placements and via official communications (for example, email notices or learning platform announcements).

Trainers and support staff refer students to this policy whenever behavioural or conduct issues arise and, where needed, re-explain particular obligations.

7. Staff briefing and consistency of communication

All relevant staff, including trainers, student support officers, admissions staff and authorised representatives, receive induction and periodic updates on this policy. This ensures that:

- information provided to students is accurate, current and consistent
- staff understand how to explain rights and responsibilities in a way that matches the student’s level of English and educational background
- staff know when to refer students to the Student Support or Academic Manager for further explanation or assistance.

8. Documentation and record-keeping

The organisation maintains evidence that information has been communicated by:

- retaining signed Written Agreements/Acceptance Forms acknowledging student rights and responsibilities
- keeping attendance records for orientation sessions

- recording any significant follow-up discussions regarding clarification of rights or responsibilities in the student file.
These records support compliance with ESOS requirements and demonstrate that students have been properly informed.

5.2 Expected Standards of Behaviour

The organisation enforces clear standards of behaviour to ensure a safe, respectful and compliant learning environment. The following procedures apply to every student during enrolment, training delivery, assessment, placement, and participation in any activity conducted under the organisation's name.

1. Adherence to organisational policies and lawful conduct

Students must comply with all published organisational policies and directions given by authorised staff. This includes policies on academic integrity, assessment, attendance, student support, work health and safety, privacy, use of facilities, and behaviour.

Students must act lawfully at all times, including during classroom activities, online participation, off-site learning, work placement, and any circumstances where they are representing the organisation.

2. Respectful communication and interpersonal conduct

Students must treat all trainers, staff, peers, workplace supervisors, and members of the public with professionalism, courtesy and respect.

Behaviour must not include intimidation, harassment, discrimination, bullying, threatening language, or any conduct that creates an unsafe or hostile environment.

Students are expected to cooperate with conflict resolution processes and follow respectful communication protocols when raising concerns or complaints.

3. Academic integrity and honesty

Students must complete their own work and acknowledge all sources appropriately.

The following actions are strictly prohibited:

- plagiarism
- cheating or collusion
- submission of work completed by another person or through unauthorised assistance
- fabrication, manipulation or falsification of evidence or records

- fraudulent conduct such as providing false documents or information
Students will be educated about academic integrity standards at orientation and throughout their course.

4. Responsible and safe use of facilities, equipment and digital systems

Students are required to operate facilities and equipment safely, follow trainer instructions at all times, and use tools, machinery and materials appropriately. Digital and online systems must only be used for legitimate learning purposes and in compliance with cyber safety and security requirements.

Any misuse of IT systems, unauthorised access, vandalism, or behaviour that compromises safety or functionality will result in disciplinary action.

5. Active participation and engagement in learning

Students are responsible for attending scheduled training sessions, meeting assessment deadlines, contributing to group activities where applicable, and following reasonable directions.

Students must communicate proactively regarding absences, illness, personal issues or barriers impacting participation.

For overseas students, attendance and course progress requirements are directly linked to student visa compliance. Failure to meet these requirements may trigger intervention and reporting obligations in accordance with ESOS legislation.

6. Work health and safety (WHS) compliance

Students must:

- follow all WHS instructions and signage
- wear required safety equipment and clothing in practical settings
- report hazards, injuries or incidents immediately
- refrain from behaviour that risks harm to any person
WHS non-compliance will be treated as a serious behavioural breach due to its impact on safety and compliance obligations.

7. Responsible conduct during work placement or external training

When undertaking training or assessment at external facilities or workplaces, students must:

- comply with the host organisation’s rules, safety requirements, and professional standards
- maintain confidentiality and respect workplace privacy obligations
- represent the RTO and the industry appropriately through reliable attendance, punctuality and ethical behaviour

Any behavioural concerns raised by a workplace supervisor must be reported promptly to the organisation and addressed without delay.

8. Continued suitability as a student

Repeated failure to meet behavioural standards may result in internal disciplinary measures.

For overseas students, serious breaches of behavioural expectations affecting study conditions may lead to enrolment suspension or cancellation and mandatory reporting to relevant government systems under the ESOS Act amendments (2025).

5.2 Expected Standards of Behaviour

The organisation enforces clear standards of behaviour to ensure a safe, respectful and compliant learning environment. The following procedures apply to every student during enrolment, training delivery, assessment, placement, and participation in any activity conducted under the organisation's name.

1. Adherence to organisational policies and lawful conduct

Students must comply with all published organisational policies and directions given by authorised staff. This includes policies on academic integrity, assessment, attendance, student support, work health and safety, privacy, use of facilities, and behaviour.

Students must act lawfully at all times, including during classroom activities, online participation, off-site learning, work placement, and any circumstances where they are representing the organisation.

2. Respectful communication and interpersonal conduct

Students must treat all trainers, staff, peers, workplace supervisors, and members of the public with professionalism, courtesy and respect.

Behaviour must not include intimidation, harassment, discrimination, bullying, threatening language, or any conduct that creates an unsafe or hostile environment.

Students are expected to cooperate with conflict resolution processes and follow respectful communication protocols when raising concerns or complaints.

3. Academic integrity and honesty

Students must complete their own work and acknowledge all sources appropriately.

The following actions are strictly prohibited:

- o plagiarism

- cheating or collusion
 - submission of work completed by another person or through unauthorised assistance
 - fabrication, manipulation or falsification of evidence or records
 - fraudulent conduct such as providing false documents or information
- Students will be educated about academic integrity standards at orientation and throughout their course.

4. Responsible and safe use of facilities, equipment and digital systems

Students are required to operate facilities and equipment safely, follow trainer instructions at all times, and use tools, machinery and materials appropriately. Digital and online systems must only be used for legitimate learning purposes and in compliance with cyber safety and security requirements. Any misuse of IT systems, unauthorised access, vandalism, or behaviour that compromises safety or functionality will result in disciplinary action.

5. Active participation and engagement in learning

Students are responsible for attending scheduled training sessions, meeting assessment deadlines, contributing to group activities where applicable, and following reasonable directions.

Students must communicate proactively regarding absences, illness, personal issues or barriers impacting participation.

For overseas students, attendance and course progress requirements are directly linked to student visa compliance. Failure to meet these requirements may trigger intervention and reporting obligations in accordance with ESOS legislation.

6. Work health and safety (WHS) compliance

Students must:

- follow all WHS instructions and signage
 - wear required safety equipment and clothing in practical settings
 - report hazards, injuries or incidents immediately
 - refrain from behaviour that risks harm to any person
- WHS non-compliance will be treated as a serious behavioural breach due to its impact on safety and compliance obligations.

7. Responsible conduct during work placement or external training

When undertaking training or assessment at external facilities or workplaces, students must:

- comply with the host organisation’s rules, safety requirements, and professional standards
 - maintain confidentiality and respect workplace privacy obligations
 - represent the RTO and the industry appropriately through reliable attendance, punctuality and ethical behaviour
- Any behavioural concerns raised by a workplace supervisor must be reported promptly to the organisation and addressed without delay.

8. Continued suitability as a student

Repeated failure to meet behavioural standards may result in internal disciplinary measures.

For overseas students, serious breaches of behavioural expectations affecting study conditions may lead to enrolment suspension or cancellation and mandatory reporting to relevant government systems under the ESOS Act amendments (2025).

5.3 Unacceptable Behaviour

The organisation clearly identifies behaviours that are not tolerated under any circumstance. These behaviours threaten safety, wellbeing, learning integrity, regulatory compliance, or the reputation of Australia’s education system. The following procedures apply whenever unacceptable behaviour occurs.

1. Definition and classification of unacceptable behaviour

Any conduct that disrupts learning, endangers others, breaches legal requirements, or causes reputational damage to the organisation or Australian education sector is considered unacceptable. Such behaviour may occur:

- on campus
- during work placement
- at any external venue while undertaking RTO activities
- online or through digital platforms
- within student accommodation arranged or approved by the organisation

2. Examples of unacceptable behaviour

The following behaviours constitute serious breaches and may lead to misconduct action:

a) Threats or acts of violence

- physical assault

- intimidation or threats of harm
- b) Harassment, bullying or discrimination**
- sexual harassment
- verbal abuse, racist behaviour or derogatory language
- persistent targeting, exclusion or humiliation
- c) Property or equipment misuse**
- theft, vandalism or intentional damage
- unauthorised operation of equipment causing risk
- d) Academic misconduct or dishonesty**
- plagiarism, cheating, collusion
- falsifying records, medical certificates, transcripts or identification
- cheating during assessments or submitting work completed by others
- e) Fraudulent or unlawful conduct**
- possession or use of illegal substances
- criminal behaviour or engagement in illegal activities on or off campus
- providing fraudulent or altered documents, including those affecting visa integrity
- f) Conduct jeopardising safety and compliance**
- ignoring WHS instructions
- behaviour resulting in injury, near misses or hazards
- misuse of access cards, technology or security systems
- g) Behaviour that disrupts learning or organisational operation**
- disorderly conduct, excessive noise, use of offensive materials
- refusal to follow reasonable staff instructions
- non-cooperative behaviour affecting delivery and assessment

3. Unacceptable behaviour in relation to ESOS compliance (overseas students)

The organisation is obligated under the ESOS framework to take immediate action if a student's behaviour:

- places their safety or wellbeing at serious risk
- impacts the rights and safety of others
- leads to inability to maintain enrolment or course requirements

- results in police involvement or legal restrictions
Any such behaviour may lead to enrolment suspension or cancellation and reporting to relevant government systems (e.g., PRISMS) as required by legislation.

4. **Zero tolerance areas**

The following behaviours will result in immediate formal investigation and potential suspension pending outcome:

- violence or credible threats of violence
- sexual assault or harassment
- serious damage to property
- use, distribution or possession of illegal substances
- fraud affecting enrolment, identity or visa compliance
These matters may also be referred to external authorities including police.

5. **Work placement and external learning environments**

Unacceptable behaviour occurring within a host workplace is treated with the same seriousness as behaviour at the RTO. The organisation may:

- revoke the placement
- provide intervention or support
- apply disciplinary measures
- reassess the student's suitability to continue the course if they cannot meet professional conduct obligations

6. **Documentation of behavioural concerns**

All incidents of unacceptable behaviour are documented accurately and promptly using the approved Incident and Misconduct Reporting procedure. Reports must:

- be factual and objective
- outline witnesses, actions and evidence
- be securely stored in the student record system
This documentation supports assessment of student suitability and demonstrates compliance with regulatory obligations.

5.4 Reporting and Management of Behavioural Issues

RTO Number: 31518	CRICOS Number: 03569A	Author: Nomi College
Version Number: 2.0		Page 13 of 19

This procedure ensures that all behavioural concerns are handled consistently, fairly, and in compliance with ESOS legislative obligations where overseas students are affected.

1. Immediate safety and risk response

Where behaviour creates an immediate risk to safety or security:

- The trainer or staff member must take prompt action to de-escalate the situation and protect people from harm
- Emergency services are contacted if required
- The student may be instructed to leave the area or campus until further notice
- The incident is reported as soon as practicable to the Academic/Student Support Manager and recorded in the Incident Register

2. Reporting behavioural concerns

- Any student or staff member may report behavioural concerns verbally or in writing to a trainer, Student Support Officer, or Academic Manager
- Staff receiving the report must document all relevant details using the approved Incident and Misconduct Report form
- Reports of serious misconduct must be escalated to the Academic/Student Support Manager within the same working day

Anonymous reporting is permitted where appropriate, but confidentiality must be maintained within lawful limits.

3. Initial review and classification of the incident

The Academic/Student Support Manager conducts a preliminary assessment to determine the seriousness, impact, and required action.

Incidents are classified as:

- a) Minor Misconduct – behaviour that can be corrected through guidance and monitoring
- b) Moderate Misconduct – behaviour requiring written warning and behaviour management plan
- c) Serious Misconduct – behaviour warranting suspension, involvement of authorities, or enrolment cancellation

Classification considers:

- safety risks
- repeated misconduct patterns
- impact on others or the learning environment
- relationship to visa compliance for overseas students

4. Investigation process

RTO Number: 31518	CRICOS Number: 03569A	Author: Nomi College
Version Number: 2.0		Page 14 of 19

For moderate and serious cases:

- A formal investigation is initiated by the Academic/Student Support Manager
- The student is notified in writing outlining:
 - the alleged behaviour
 - relevant evidence
 - potential consequences
 - the opportunity to respond
 - Witness statements and supporting evidence (e.g., CCTV footage, email records) are collected
 - The investigation must be concluded in a timely manner, generally within 10 working days

5. Natural justice and student support

To ensure procedural fairness:

- The student has the right to be heard and to respond to all allegations
- The student may have a support person present at any meeting
- Decisions are made impartially and based on evidence
- Students are offered access to support services where wellbeing concerns exist
- No prejudicial assumptions are made prior to outcome determination

6. Behavioural outcomes and disciplinary actions

Based on the investigation findings, one or more of the following outcomes may be applied:

- Verbal warning with behaviour expectations restated
- Written warning recorded on student file
- Behaviour improvement plan with mandatory check-in support
- Temporary suspension of training or access to facilities
- Removal from work placement or reassignment of training environment
- Cancellation of enrolment (serious cases only)

Overseas students are informed that suspension or cancellation may affect their visa status.

5.5 Support and Early Intervention

This procedure ensures that behavioural issues or indicators of distress are identified early, and students receive appropriate support to remain safe, engaged, and compliant with their training requirements.

1. Identification of early warning indicators

RTO Number: 31518	CRICOS Number: 03569A	Author: Nomi College
Version Number: 2.0		Page 15 of 19

Training and support staff monitor students for signs that behaviour or wellbeing may be deteriorating, including:

- noticeable decline in participation or motivation
- repeated minor misconduct or disruptive behaviour
- conflict with peers or staff
- demonstrated difficulty adapting to training expectations
- emotional distress or wellbeing concerns
- for overseas students risk indicators affecting visa compliance (e.g., repeated absence)

Such behavioural cues must be treated as early intervention triggers rather than disciplinary triggers where appropriate.

2. Supportive conversation and initial intervention

The trainer or Student Support Officer meets with the student informally to:

- explain concerns observed and how they are affecting learning and behaviour
- remind the student of rights, responsibilities and behaviour expectations
- explore underlying causes (e.g., personal, health, accommodation issues)
- identify immediate support needs

Outcomes from the conversation are documented as part of student support records.

3. Referral to internal support services

Where concerns persist or barriers are identified, staff refer the student to appropriate internal support services, which may include:

- academic support or study skills assistance
- counselling or wellbeing support
- disability support and reasonable adjustment processes
- pastoral or cultural support programs
- additional orientation for behaviour expectations

Staff must follow up to confirm the student has accessed the recommended support.

4. Development of a Behaviour Support Plan (if required)

If the behaviour continues to impact the learning environment or safety:

- A formal Behaviour Support Plan may be developed with the student
- The plan outlines:
 - expected behaviour changes
 - agreed strategies to address causes
 - support actions and contact points
 - monitoring schedule and review dates

Both the student and the Academic/Student Support Manager sign the plan.
Failure to engage in the plan may result in progression to misconduct processes.

5. Specialist referral for complex needs

Where the student's wellbeing needs exceed the organisation's capacity to support:

- An external referral may be made (e.g., mental health provider, social services, medical practitioner)
- For overseas students, support also includes guidance on approved OSHC providers

Staff ensure referrals maintain privacy and comply with the organisation's confidentiality obligations.

6. Communication with work placement supervisors (when relevant)

For students on placement:

- The placement supervisor is informed of behavioural support needs where necessary to ensure safety and continuity of training
- Adjustments or temporary withdrawal from placement may be arranged while support strategies are implemented
- Supervisor reports are reviewed regularly to assess behavioural improvement

7. Monitoring, review and escalation

- Progress against the Behaviour Support Plan is reviewed within agreed timeframes
- If behaviour improves and is sustained - the plan is closed and recorded
- If behaviour does not improve or escalates - the matter is transferred to the misconduct process under section 5.4 for further action
- All reviews and decisions are recorded to demonstrate a fair and supportive approach

8. No disadvantage for seeking help

Students are encouraged to seek support directly and will not be penalised for accessing assistance.

However, if behavioural issues pose a risk to others or ongoing engagement is not achieved, disciplinary procedures may still apply.

6. Roles and Responsibilities

Role/Position	Responsibilities
CEO / PEO	Ensures compliance with ESOS Act 2025; approves suspensions/serious actions; reviews high-risk behaviour cases
Compliance Manager	Coordinates investigations; monitors behavioural trends; ensures

	recordkeeping and reporting obligations are met
Academic / Training Managers	Support procedural fairness; ensure staff escalate concerns promptly; oversee classroom management protocols
Trainers / Assessors	Address minor behaviour issues; report misconduct; document incidents; support student engagement
Student Support Officers	Provide wellbeing support; identify welfare-related behaviour issues; facilitate referrals
Students	Comply with conduct expectations, laws, and safety rules; cooperate with investigations; maintain respectful behaviour
Third Parties / Agents	Must not engage in coercion, misrepresentation, or conduct influencing student behaviour; comply with provider governance

7. Continuous Improvement

- Behaviour incidents are analysed for trends and emerging risks
- Outcomes inform:
 - Staff training needs
 - Policy and procedure updates
 - Student support enhancements
- Quarterly governance reviews ensure alignment with ESOS 2025 obligations

Corrective actions are logged in the **Continuous Improvement Register**.

8. Retention of Records

The RTO must retain accurate behaviour-related documentation including:

- Incident reports
- Investigation summaries
- Warnings and outcomes
- Referral and support interventions
- Regulator reporting if required

Records are kept **for a minimum of 7 years** or longer where required by ESOS or statutory obligations.

Access must be secure, confidential and available for regulatory audit.

9. Confidentiality and Privacy

- Behaviour information is managed in accordance with the Privacy and Confidentiality Policy and Privacy Act 1988
- Only authorised personnel have access to records
- Disclosure is limited to:
 - legitimate business needs
 - legal requirements
 - protection of student or community safety
 - regulator reporting under ESOS 2025
- Students may request access to their personal information as permitted by law

10. Review Cycle

This policy will be reviewed:

- annually, or
- upon changes to ESOS Act amendments, Standards for RTOs, or regulatory guidance
- immediately after serious incidents or audit findings