



**PORT + CRANE
ACADEMY**
OF NEW ZEALAND

DISCIPLINARY PROCEDURE

POLICY

PCANZ will ensure that any disciplinary process upholds the principles of Te Tiriti o Waitangi and provides culturally appropriate support to learners, including the option to involve whanau or a support person. PCANZ provides clear expectations regarding course attendance and behavioral conduct (in the code of conduct and PCANZ Learner Conduct Form) to ensuring the safety, welfare and progress of all training attendees in a fair and safe learning environment.

This policy is made available and accessible to learners in the Course Prospectus. Where learners do not adhere to these rules or code of conduct, disciplinary procedures will apply.

PROCEDURES

Misconduct, bullying, discrimination or harassment (physical, verbal, mental, emotional or cyber)

1. In cases of minor misconduct, Learning & Assessment Partners are encouraged to resolve the issue informally with the learner before formal disciplinary action is initiated.
2. Where an allegation of a behavioral expectation is not being met, incident reports are completed by PCANZ staff within 24 hours of the incident occurring
3. Incident reports are investigated by PCANZ General Manager - follow up conversations with witnesses are held, and further evidence is collected within 5 days of being filed. The learner will be provided with a written summary of their rights, including the right to appeal and have a support person present.
4. All disciplinary investigations and meetings will occur within 10 working days of the incident report unless further evidence gathering is required – this will be discussed with the learner
5. A meeting is arranged with the accused learner and other parties involved to discuss the incident. The accused learner has the right to reply to the accusation and evidence gathered. Where the learner is found culpable, disciplinary action may result
6. First disciplinary meeting arranged with learner will include an action plan of expected behavior with review timeframes/meetings is created, noting next steps if behavior expectations are not met.
7. Disciplinary action may include, but is not limited to
 - a. Suspension



- b. Reconciliation and restitution
- c. Termination of enrolment
- 8. The learner will be provided with a written statement of the incident, outcome and noting of further consequences should another misconduct occur
- 9. Learner profile is updated

Serious/Repeated misconduct

- 1. The procedure for misconduct is followed
- 2. Law enforcement is involved, if required
- 3. Termination is explored, and a letter is provided to the learner with the outcome and opportunities to appeal

Termination of enrolment

- 1. Termination of enrolment is the final step for disciplinary action; a second disciplinary meeting is arranged with the learner where they are provided with a letter outlining reasons for termination and opportunity to give a response and appeal the decision
- 2. The termination of enrolment can be appealed by the learner within 5 working days of the date of the letter
- 3. The learner's request for appeal will be provided to the PIA and CANZ Education Committee for an independent review and completed within 10 working days
- 4. Following review by the PIA and CANZ Education Committee, the learner will be notified of the outcome in writing. Where the outcome leads to agreement of the termination of enrolment, a third disciplinary meeting is arranged
- 5. The learner will be notified of termination of enrolment in their third disciplinary meeting verbally and in writing. They are provided the opportunity to appeal the termination through external parties (Tertiary Education Dispute Resolution; Office of the Ombudsman; NZQA; iStudents for International Students)
- 6. Once termination has been finalised the Student Management System, learner profile and all relevant documentation is updated.

RESPONSIBILITIES

General Manager

- Receive and investigate incident reports
- Meet with and discuss incident with accused student, providing right of response
- Provide resolutions and disciplinary action
- Maintain incident report documentation
- Update Selma SMS and relevant documentation

Learning & Assessment Partners

- Maintain behavioral expectations at training sites
- Notify the General Manager of behavioral incidents as soon as possible
- Contribute to behavior investigations as required