



POLICY : CANDIDATE DISCIPLINARY CODE

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Summary:	This document defines the guidelines and procedures for candidate discipline at Healthnicon.	
Keywords: (minimum of 5): To assist with policy search engine	Disciplinary measures; Candidate discipline	
Target Audience:	All employees	
Date compiled:	January 2006	
Next Review Date:	November 2016	
Approved and ratified by:	Council	Date of meeting: May 2015
Date issued:	June 2015	
Author/s:	Governing body	
Sponsor:	Council	

VERSION CONTROL and CHANGE RECORD

Date	Author	Reason for Change
November 2014	G Stander	Policy reviewed and amended
June 2015	M. Theron J. Thompson L. Hampton	Policy reviewed and amended to reflect Healthnicon's new Committee Structures and other policy format changes
October 2015	Senate	Sanction for cheating was amended to allow for termination of candidates on first offence instead of termination on the second offence
May 2016	Senate	Added the view and distribution of pornographic material as a misconduct/offence

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POLICY: CANDIDATE DISCIPLINARY CODE

RESPONSIBILITIES

The lead responsibility for the policy lies with the Council.
Responsibility for implementation, monitoring and review of the policy lies with the Coordinators, Governing Bodies and applicable Campus Management Committees.

SCOPE

This policy applies to all Healthnicon candidates.

PURPOSE

The purpose of this policy is to impose the Candidate Code of Conduct and to provide an orderly protocol for ethical handling of candidate disciplinary cases.

POLICY STATEMENT

Healthnicon strives to maintain a safe and orderly environment. Appropriate disciplinary actions will be taken to protect the environment from disruption.

DEFINITIONS OR TERMS AND ACRONYMS

Committee means any Committee of Healthnicon.

Day means a working day with the inclusion of Saturdays, Sundays and public holidays.

Initiator means an employee of Healthnicon appointed by the Ethical and Disciplinary Committee to conduct the case for and present the evidence on behalf of Healthnicon.

Principal means Principal of the relevant campus of Healthnicon.

Campus Manager means the Campus Manager of the relevant campus of Healthnicon.

Chairperson means the Chairperson of the relevant Campus Ethical and Disciplinary Committee of Healthnicon.

Clinical facilities refers to any health care facility affiliated with Healthnicon for candidate practica.

Candidate means any person, who at the time of the alleged misconduct is or was:

- (i) registered for a qualification offered by Healthnicon, or
- (ii) Taught or assess on any Healthnicon premises or affiliated clinical facility by an employee or someone identified by Healthnicon for that purpose.

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Ethical & Disciplinary Appeals Committee (EDAC) means the Committee constituted by the Campus Governing Body to consider cases of candidate appeals from decisions of the Candidate Ethical & Disciplinary Steering Team.

Ethical & Disciplinary Committee (EDC) refers to the Committee that adjudicates charges of misconduct relating to candidates and employees. This Committee has two Steering Teams, one for candidate and one for employee affairs.

Financial Manager means Financial Manager of the relevant campus of Healthnicon.

Healthnicon premises refer to any premises or building which is the property of Healthnicon or is controlled by Healthnicon for Healthnicon activities including regional Campuses, Training Centres and Examination venues.

De novo is a Latin expression meaning "from the beginning," "afresh" or "anew"

INTRODUCTION

The Candidate Disciplinary Code is aimed at upholding the name and reputation of Healthnicon.

To maintain order, discipline and safety; securing and ensuring the integrity of the academic processes of Healthnicon and assuring the quality of the assessment processes at Healthnicon. Any conduct of a candidate that contravenes the Disciplinary Code and/or negatively impacts on the goals of the code may be regarded as misconduct and subject to disciplinary measures.

1. MISCONDUCT / OFFENCES

1.1. A candidate is guilty of misconduct/ offence if she/he:

1.1.1 Intentionally or negligently contravenes or subverts, or attempts to contravene or subvert, or assists, encourages or persuades any other person to contravene or subvert a code, regulation, rule or instruction of Healthnicon

1.1.2 Refuses or fails to comply with a lawful instruction or request of an employee of Healthnicon authorised to give such instruction or make such request, or acts contrary to such instruction or request

1.1.3 commits any statutory or common law crime whilst on Healthnicon premises

1.1.4 Intentionally or negligently misuses, damages, defaces, destroys or alienates, or without authorization uses any building, furniture or equipment, computer, vehicle, notes, documents or any other thing owned or controlled by Healthnicon or by any employee of Healthnicon, or by any registered candidate of Healthnicon

1.1.5 Intentionally or negligently mismanages and/or misappropriates Healthnicon funds

1.1.6 Brings intoxicating liquor onto the premises of Healthnicon without the consent of the Principal or the Governing Body of the campus, or consumes or abuses intoxicating liquor and/or is under the influence of such liquor while on Healthnicon premises

1.1.7 Brings an illegal dependence-producing drug (as defined in section 1 of the Drugs and Drug Trafficking Act, 1992) onto the premises of Healthnicon, or is found to be in possession of such illegal substance or is under the influence of such substance whilst on the premises of Healthnicon.

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- 1.1.8. Brings on Healthnicon premises a firearm, other dangerous weapons, fuel that cannot reasonably be shown to be required for the operation of a motor vehicle or any explosive devices or;
- 1.1.9 Allows or arranges for the aforementioned (as per 1.1.8) to be brought or stored onto Healthnicon premises
- 1.1.10 Sexually or otherwise harasses any person (as defined in the Sexual Harassment Policy (candidates) whilst on Healthnicon premises
- 1.1.11 Acts in a racist manner towards any person whilst on Healthnicon premises
- 1.1.12 Commits an indecent act on Healthnicon premises (e.g. viewing or distributing any pornographic material on a Healthnicon premises/ clinical facilities).
- 1.1.13 Unlawfully expresses, publishes or disseminates in speech, writing, print or other medium on Healthnicon premises any views, beliefs or ideology that would infringe upon the dignity or other human rights of any candidate or groups of candidates, or any employee of Healthnicon, or person invited by Healthnicon as a guest of Healthnicon
- 1.1.14 Uses the name of Healthnicon, or uses or displays the logo of Healthnicon without the written permission of the Principal and Campus Manager
- 1.1.15 Convenes an assembly on Healthnicon premises without obtaining the prior consent of the Principal and Governing Body of the campus, or attends a gathering prohibited by the Principal and Governing Body of the campus.
- 1.1.16 Knowingly makes a false statement about Healthnicon or otherwise intentionally provides materially false information to anyone in or outside Healthnicon about Healthnicon.
- 1.1.17 intentionally or negligently tenders or presents to any employee of Healthnicon any document which he or she knows or ought reasonably to know to be false or a forgery and which causes or has the potential to cause prejudice to the administrative, financial or academic interests of Healthnicon.
- 1.1.18 Accepts from, or offers a bribe to; candidates, employees or any other official of Healthnicon
- 1.1.19 Reproduces or transmits in any form or manner, whether electronically or mechanically (including photocopying and faxing), any study guide, book, thesis, dissertation, article, examination paper, lecture, printed tutorial matter or any other study aids in respect of which copyright exists, unless such reproduction or transmission is done in a manner authorised in terms of the Copyright Act, 1978 (as amended), and unless the copyright owner's permission for the reproduction or transmission is obtained.
- 1.1.20 Contravenes the provisions of the Copyright Infringement and Plagiarism Policy of Healthnicon as it relates to plagiarism
- 1.1.21 Collects money or offers goods for sale or advertises goods on the premises of the Healthnicon without the permission of the Principal and Campus Manager (or a person duly authorized by him/her) or the management of the regional campus
- 1.1.22 Neglects or refuses to return library material borrowed from Healthnicon library

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- 1.1.23 Behaves in any way that leads or may lead to the consequences described below, if such consequences were or should reasonably have been foreseen at the time when such behaviour occurred. Such behaviour includes conduct by which;
- 1.1.23.1 the good name and reputation of Healthnicon is or may be impaired;
- 1.1.23.2 the maintenance of order, discipline and security at Healthnicon is or may be prejudiced or imperiled; or
- 1.1.23.3 the process of tuition, research and administration and general Healthnicon activities are or may be prejudiced or imperiled;
- 1.2 With specific regard to assessments, a candidate is guilty of misconduct if she/he cheats in Healthnicon or SANC examinations.
- 1.2.1 For purposes of this rule 'examination' includes all assessments of a candidate's performance organized and/or conducted in the name of Healthnicon and/or SANC.
- 1.2.2 Further, for purposes of this rule 'cheating' includes;
- 1.2.2.1 the possession of any unauthorised notes and/or aid (s) in the examination venue after the first answer book or question paper has been made available to candidates, which may assist the candidate in the examination
- 1.2.2.2 the use or attempted use during an examination of any note or aid, the use of which is not authorised by the examiner or examination officer
- 1.2.2.3 the communication or attempted communication of any information relating to an examination with any other candidate whilst the examination is in progress
- 1.2.2.4 the removal or attempted removal from an examination room of any examination book or writing paper supplied by Healthnicon for the purposes of answering an examination
- 1.2.2.5 the use of a false name, identity number or candidate number in an examination
- 1.2.2.6 the submission for examination as own work any matter that has been copied, reproduced or extracted in whole or in part from the work of another candidate or some other person, or which is substantially the same in whole or in part as the work of another candidate.
- 1.2.2.7 intentionally or negligently assisting another candidate to cheat
- 1.2.2.8 the commission of any other fraudulent or dishonest practice whereby a candidate, whilst being examined by Healthnicon, seeks to mislead or deceive the examiner or the examination officer
- 1.3. Refer to *Addendum A* for description of offences and disciplinary actions.

2. THE ETHICAL & DISCIPLINARY COMMITTEE (EDC)

2.1 The Ethical & Disciplinary Committee will be identified from amongst the following groups of persons:

- 2.1.1 Management of Healthnicon campus on a nomination and acceptance basis;
- 2.1.2. The academic employees of Healthnicon on a nomination and acceptance basis; and

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2.1.3. The Candidates' Representative Council may nominate one candidate, with observer status, to attend an EDC meeting.

2.1.4. The Chairperson of the EDC will be identified from amongst the persons nominated.

2.2. QUORUM AND QUORATE

2.2.1. Fifty (50) % of the members of the Ethical and Disciplinary Committee constitute a quorum.

2.2.2. The minimum number of members that are needed in order for business to be conducted is fifty (50) % of the members.

2.3. ABSENCE OF COMMITTEE MEMBERS

2.3.1. If at any stage during the sitting of the EDC a member of the committee is no longer able to participate in the proceedings or is absent for any reason, the hearing will continue, provided that the meeting is quorate.

2.3.2. In all other cases, the hearing should be terminated and will commence de novo.

2.3.3. If the Chairperson is absent, the committee members elects a Chairperson subject to the provisions of Rule 2.1.4

2.4. THE INITIATOR

The Principal in collaboration with the EDC members appoints the initiator to present the case for Healthnicon.

3. NOTIFICATION OF MISCONDUCT

A candidate will not be formally charged with misconduct until a written and signed statement containing an accusation, complaint or allegation made against the candidate has been submitted to the Principal or a person authorized by him/her to receive such complaint, provided that nothing contained herein will prevent the Principal in collaboration with the EDC from laying a complaint of misconduct against a candidate.

3.1. NOTICE TO THE ACCUSED CANDIDATE

3.1.1. When proceedings against a candidate are instituted in terms of 3 above, the Principal in collaboration with the EDC will give the candidate concerned not less than 7 days' notice in writing of the date, time and place of the hearing by the EDC.

3.1.2. The Notice under this rule will inform the candidate:

3.1.2.1. that proceedings under the Candidate Disciplinary Code are to be instituted against him/her and that a copy of the Code is available for inspection in each classroom, the Office of the Principal or on the Healthnicon website,

3.1.2.2. of the Rule that the candidate is alleged to have breached and/or the act(s) of misconduct that the candidate is alleged to have committed. The Notice must set out the charge with sufficient particularity to enable the candidate to prepare for his/her defense,

3.1.2.3. of his/her right to answer the charge in writing at least four days before the hearing,

3.1.2.4. of his/her right to attend the hearing to present his/her case, or to be represented at the hearing and

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- 3.1.2.5. of his/her right if he/she is a minor to be assisted by his/her parent or guardian or, at the discretion of the EDC, to be assisted by any other person appointed by such parent or guardian, provided that nothing contained in this Rule renders the conduct of the EDC void if the candidate is not so assisted on the date set for the hearing.

3.2. SERVICE OF NOTICE

- 3.2.1 Service of any written notice and the furnishing of particulars in terms of this Code will be by prepaid, registered post to the residential address provided either on the most recent application form completed by the candidate for the purpose of registration or on any later written notice submitted by the candidate to Healthnicon of a change of address.
- 3.3.2 In the case of such service the candidate will be deemed to have received the Notice and particulars within five days of the date of posting thereof.

3.3. PRELIMINARY INVESTIGATION

- 3.3.1 The EDC appoints one or more persons to conduct a preliminary investigation into an accusation, complaint or allegation brought to his/her attention. The Principal in collaboration with the EDC may, at his/her discretion, conduct the investigation him/herself.
- 3.3.2 Such person(s) so appointed submits a written report and/or relevant documentation to the EDC.
- 3.3.3 The person(s) appointed to conduct the preliminary investigation may consult with or obtain information from any person, including the candidate against whom the accusation, complaint or allegation has been made.

3.4. REFERRAL TO THE EDC

- 3.4.1 If the Principal is of the opinion that there is a prima facie case and that there are reasonable grounds for a charge of misconduct and that the misconduct is of a serious nature, he/she drafts a written report or has such report drawn up to be heard by the EDC.
- 3.4.2. If the Principal is of the opinion that an alleged misconduct of a candidate constitutes a minor contravention of the Code, the Principal may exercise his/her discretion to decide what further steps should be taken in response to the alleged misconduct after consultation with the EDC.

4. DETERMINING PROCEDURES

Subject to the provisions of this policy the procedure adopted at the EDC is determined by the Chairperson of the Committee.

4.1 THE HEARING

- 4.1.1 In the interest of transparency, all hearings are open meetings unless the Chairperson of the EDC is persuaded by the circumstances of the case to direct that the hearing be closed.
- 4.1.2 The initiator leads evidence against the accused candidate and generally conducts the case for Healthnicon.
- 4.1.3 The EDC allows the candidate or such person representing the candidate a reasonable opportunity to present a defense and to answer the charges.

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- 4.1.4 Both the initiator and the accused candidate are allowed to adduce all relevant evidence and call witnesses and to examine and cross-examine witnesses, as appropriate.
- 4.1.5 The EDC may also ask the witnesses questions for clarity.
- 4.1.6 The EDC may further, of its own accord, call for evidence that it may deem relevant to a determination of the issue(s) before it.
- 4.1.7 The hearing of the EDC is conducted in an informal manner, according to the principles of natural justice and with due regard for the rights of the accused candidate. No accused candidate will be prejudiced by reason of a failure to comply with the rules of procedure or rules of evidence as applied in the ordinary courts.
- 4.1.8 If the candidate is a minor, no disciplinary action(s) will be taken against that candidate before his/her parent or guardian has also been informed in writing of his/her alleged misconduct and has been given a proper opportunity to make a written statement and, if he/she so wishes, to appear before the EDC in person.
- 4.2 THE HEARING PROCEDURES**
- 4.2.1. CANDIDATE'S ABSENCE FROM HEARING**
- If a candidate charged with misconduct does not attend his/her disciplinary hearing, such hearing proceeds in his/her absence and the proceedings of the EDC are not invalid as a result thereof.
- 4.2.2. RECUSAL FROM PROCEEDINGS**
- A member of the EDC who has laid a complaint of misconduct must recuse him/herself from the proceedings of the EDC which has been constituted for the purpose of adjudicating a charge emanating from the complaint.
- 4.2.3. OBSTRUCTION OF PROCEEDINGS**
- If a candidate charged with misconduct interferes with or obstructs any proceedings of the EDC or refuses to carry out an instruction of the Chairperson of such committee, such candidate may be ordered by the Chairperson to withdraw from the proceedings, which may then continue in his/her absence.
- 4.2.4. RECORD OF PROCEEDINGS**
- The Chairperson appoints a person to record, by means of voice recording or in writing, the proceedings of the EDC and all the evidence tendered. Such a person is not required to be a member of the committee.
- 5. DECISIONS OF THE ETHICAL AND DISCIPLINARY COMMITTEE**
- 5.1 At the conclusion of the evidence, the EDC committee decides, in light of all the evidence led, whether or not the candidate is guilty of the misconduct, as charged. A finding of guilty will only be returned if:
- 5.1.1 the misconduct charged has, in the opinion of the committee been proved on a balance of probabilities; or

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- 5.1.2 the candidate has freely and voluntarily admitted guilt and the committee is satisfied that there is evidence from the accused or from another source to substantiate the admission.
- 5.1.3. Should the committee not be satisfied with the evidence presented, it may of its own accord call for further evidence to be led in respect of the charge.
- 5.1.4. If the committee does not find the candidate guilty the candidate is acquitted of the charge.
- 5.1.5. The decision of the EDC is determined by a majority vote of the members present.
- 5.1.6. In the event of an equality of votes, the Chairperson of the EDC has a casting vote in addition to his/her ordinary vote.

6. IMPLEMENTATION OF FINDINGS OF THE EDC

6.1 If the EDC finds an accused candidate:

6.1.1 guilty, the candidate is notified in writing of the finding and the sanction(s) imposed by the EDC. In the Notice, the candidate is further informed of his/her right to appeal against the finding(s) and/or the sanction(s) imposed;

6.1.2 not guilty, the candidate is notified in writing of the finding of the EDC.

6.1.3 If the candidate is a minor, no disciplinary measure/s will be taken against that candidate before his/her parent or guardian has also been informed in writing of his/her alleged misconduct and has been given a proper opportunity to make a written statement and, if he/she so wishes, to appear before the EDC in person.

6.2 SANCTIONS

6.2.1 When considering an appropriate sanction, the EDC takes account of all mitigating and aggravating factors presented during the hearing.

6.2.2 When considering the appropriateness of the disciplinary measures to be imposed, the EDC ensures that such disciplinary measures are, as far as possible, appropriate to and commensurate with the nature and gravity of the misconduct of which the candidate has been found guilty.

6.2.3 The EDC is also bound by the rules of administrative law and natural justice and the principles of precedent.

6.2.4 After finding a candidate guilty of misconduct, the EDC may impose one or more of the following sanctions:

6.2.4.1 revocation of a degree, diploma or other qualification obtained from Healthnicon in an improper manner;

6.2.4.2 a written reprimand and/or warning;

6.2.4.3 denial of a right or privilege resulting from enrolment as a candidate at Healthnicon;

6.2.4.4 a fine not exceeding twice the annual tuition fee for the full first year of study of the qualification for which the candidate is registered;

6.2.4.5 payment of compensation or requiring the accused candidate to repair the damage caused by his/her misconduct;

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- 6.2.4.6 denial of the right or privilege to register for a particular study module or course offered by Healthnicon;
- 6.2.4.7 annulment of examination results and/or withdrawal of a credit(s) obtained in a study modules and/or courses;
- 6.2.4.8 refusal of admission to an examination for a specified period;
- 6.2.4.9 confirmation of the temporary suspension of a candidate, and/or the suspension of the candidate for a specified period or further period subject to any condition(s) which the EDC deems reasonable;
- 6.2.4.10 denial of the privilege to register or enroll again as a candidate at Healthnicon for a specified period;
- 6.2.4.11 any other appropriate sanction(s) which the EDC deems suitable in the particular circumstances; and/or
- 6.2.4.12 A candidate who is temporarily or permanently deprived in terms of this policy of a right or privilege which he/she enjoys as a candidate or is temporarily or permanently denied admission to Healthnicon, forfeits any claim for repayment, reduction or remission of moneys paid or payable to Healthnicon.

6.3 SUSPENSION OF CANDIDATE

- 6.3.1 No candidate will be suspended from Healthnicon before a hearing is held. However, the Principal may use an Abridged Service of Notice to convene an emergency EDC meeting that will determine the need for a temporary suspension which will serve to prohibit such candidate from:
 - 6.3.1.1. entering onto the premises of Healthnicon, or any part thereof, and/or
 - 6.3.1.2. exercising a right or privilege resulting from his/her enrolment as a candidate.
- 6.3.2. A temporary suspension remains in force for the period not exceeding thirty days or until the disciplinary proceedings in terms of this Code have been completed, whichever instance may first occur.
- 6.3.3. The suspended candidate may make written representations to the Principal, Campus Manager and/or EDC within five days of receipt of written notice of his/her suspension, advancing reasons why he/she should not be suspended.
- 6.3.4. The Principal and Campus Manager in collaboration with the EDC may at his/her discretion revoke a suspension at any time, provided that, notwithstanding such revocation, further steps may be taken to proceed with the disciplinary hearing on the charge of misconduct against the candidate.

7. APPEALS

The Ethical and Disciplinary Appeals Committee (EDAC) hears appeals in respect of findings of the EDC.

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7.1 FUNCTIONS AND POWERS OF THE EDAC

- 7.1.1 The EDAC is responsible for the hearing of appeals in respect of the decisions of the EDC whether based on factual findings, matters relating to procedure and/or the sanctions imposed.
- 7.1.2 The EDAC has the powers to review, reverse, nullify or replace decisions of the EDC in all respects, and can also order that hearings be held de novo.

7.2 COMPOSITION OF THE EDAC

- 7.2.1 The EDAC consists of members identified from the following groups of persons:
- 7.2.1.1 A Council member;
- 7.2.1.2 Representatives of the Governing bodies;
- 7.2.1.3 Representative of the Academic department;
- 7.2.2 In respect of each meeting of the EDAC the Executive Director nominates members from the groups of persons identified. They will constitute the Ethical & Disciplinary Appeals Committee, provided that each Campus will have only one representative.
- 7.2.3 No member of the EDC may participate on the EDAC.
- 7.2.4 A representative as the Chairperson of the EDAC will be nominated by the members selected.
- 7.2.5 The Candidates' Representative Council may nominate one candidate, with observer status, to attend an EDAC meeting.

7.3 QUORUM AND QUORATE

- 7.3.1. Fifty (50) % of the members of the Ethical and Disciplinary Appeals Committee constitute a quorum.
- 7.3.2. The minimum number of members that are needed in order for business to be conducted is fifty (50) % of the members.

7.4 PROCEDURES

- 7.4.1 A candidate who has been found guilty of misconduct may, within fourteen days of being informed of the finding of the EDC, appeal to the EDAC in writing by lodging a written Notice of Appeal with the Principal, provided that a candidate who has been found guilty of misconduct after having pleaded guilty to the charge against him/her has no right of appeal against such finding, but may still appeal against the sanction.
- 7.4.2 The appellant furnishes, in writing, detailed grounds for his/her appeal in a notice of Appeal.
- 7.4.3 Upon receipt of a Notice of Appeal, a copy of such Notice is forwarded to the Chairperson of the EDC which adjudicated the charge, whereupon the EDC, where necessary, should within a seven (7) day period compile a reply to the grounds for appeal and submit it to the Chairperson of the EDAC.
- 7.4.4 When an appeal is lodged against a decision of the EDC the enforcement of any disciplinary measure imposed by the EDC is deferred by either the EDC or the Principal, pending the outcome of the appeal.

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- 7.4.5 An appeal will be heard solely on the grounds of the record of the proceedings of the EDC, together with any document(s) and exhibit(s) submitted during the EDC hearing, save where the appeal is based on a material irregularity that is alleged to have occurred in the course of the proceedings but does not appear as such from the record.
- 7.4.6 For the purposes of an appeal, the appellant or the person assisting him/her or any other person allowed by the EDAC (or the EDC as the case may be) may make written or, with the permission of the EDAC, verbal representations to the EDAC.
- 7.4.7 After considering an appeal the EDAC may:
- 7.4.7.1 dismiss the appeal and uphold the decision of the EDC in its entirety or in part,
- 7.4.7.2 allow the appeal and set aside the decision of the EDC in its entirety or in part,
- 7.4.7.3 amend the decision of the EDC,
- 7.4.7.4 prior to reaching a final decision concerning the appeal, the EDAC may refer any question pertaining to the hearing of the EDC back to the EDC concerned and order that a report be submitted.
- 7.4.8 The EDAC will not increase any sanction(s) imposed by the EDC unless the EDAC has given the accused candidate prior reasonable written notice of its intention to do so and has further considered the appellant's written representations, if any, in this regard.
- 7.4.9 There is no further Committee for appeal within Healthnicon structures after the EDAC.

8. OPERATIONAL GUIDELINES

- 8.1 The Managing Director may prepare operational guidelines regarding:
- (a) minimum and maximum sentences to be imposed by the EDC and EDAC;
 - (b) any matter required to be prescribed in terms of this policy; and
 - (c) any other matter which EDC deems necessary or expedient to be prescribed in order to achieve the objects of this policy.
- 8.2 Any guideline made under this subsection must be submitted to the Council of Healthnicon for approval.

9. REPORTING AND DISCLOSURE OF FINDINGS

- 9.1 If a candidate in respect of whom the EDC has imposed a sanction fails to exercise his/her right of appeal, the EDC submits a written report on the matter to Council of Healthnicon.
- 9.2 If a candidate in respect of whom the EDC has imposed a sanction exercises his/her right of appeal the EDAC will submit a written report on the matter to Council after disposing of the appeal.

10. SAFEKEEPING OF THE RECORD OF PROCEEDINGS

- 10.1 All documents and voice recordings, pertaining to a disciplinary matter, will be kept in safe custody by the Principal. A candidate is, however, entitled to receive copies of such documents and voice recordings at his/her own expense.

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- 10.2 Such documents and voice recordings will be held by Healthnicon for a period of five years after a matter has been finalized.

11. COMMENCEMENT OF THIS POLICY

- 11.1 This policy comes into operation on the date on which it is approved by the Council of Healthnicon.
- 11.2 This policy is the relevant Code for all candidates registered at Healthnicon from the commencement date of this policy and repeals all previous Candidate Disciplinary Codes, policies and procedures that may have previously pertained.

CONTROL AND MANAGEMENT

The Governing body in collaboration with the Directors and Coordinators are responsible for the content and maintenance of this policy. All proposed changes and other suggestions for improvement should be reported to the Council and Senate. Updated electronic versions of this policy is available on Healthnicon Quality Management System (QMS).

REVIEW OF THIS POLICY

The office of the Council will maintain an electronic register on the QMS that indicates the last update of this policy.

AUTHORIZATION SIGNATURES				
	COUNCIL			
	NAME	DESIGNATION	SIGNATURE	DATE
1.	Mr. G Stander	Executive Director		
2.	Ms. M Theron	Executive Director		
3.	Ms. L Jacobs	Non-executive Director		
4.	Ms. D Moepi	Non-executive Director		
5.	Ms. S Stewart	Non-executive Director		
6.	Ms. L Hampton	Campus Management Coordinator		
7.	Ms. L Potgieter	Marketing Coordinator		
8.	Ms. J Thompson	Academic Coordinator		

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Addendum A: Offences and Disciplinary actions

Category	Nature of offence	Disciplinary Action		
		1 st Offence	2 nd Offence	3 rd Offence
Timekeeping	Late for training or leaving training early without good reason	Counselling	Disciplinary Hearing	Termination
	Unwarranted absence from place of training without good reason	Counselling	Disciplinary Hearing	Termination
	Desertion: away from training for 5 working days without permission/good reason/without notifying a senior manager during the period of absence	Termination		
	Fraudulent timekeeping	Termination		
Negligence or Vandalism	Poor maintenance of buildings, vehicles, equipment or material for which the candidate is responsible	Counselling	Disciplinary Hearing	Termination
	Misuse, damage, deface or destruction of buildings, vehicles equipment or materials of the training provider.	Counselling	Disciplinary Hearing	Termination
	Wastage of materials, mismanagement or misappropriation of the training provider funds.	Counselling	Disciplinary Hearing	Termination
	Injury to another through negligence or horseplay	Disciplinary Hearing	Termination	
Unlawful conduct	Driving training institution vehicle or operating equipment without authority	Disciplinary Hearing	Termination	
	Uses or displays Healthnicon name or logo without permission from relevant authorities	Disciplinary Hearing	Termination	
	Plagiarism	Disciplinary Hearing	Termination	
	Unlawful possession, reproduction or distribution of training institution property	Termination		
	Theft	Termination		
	Divulgence of confidential information	Termination		
	Deliberately supplying incorrect or falsified information Fraud	Termination		
	Fraud	Termination		
	Any other reason recognised in law as sufficient grounds for dismissal	Termination		

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Category	Nature of offence	Disciplinary Action		
		1 st Offence	2 nd Offence	3 rd Offence
Disobedience & Misconduct	Poor quality of work/not working to standards	Counselling	Disciplinary Hearing	Termination
	Sleeping during training classes or practical hours	Counselling	Disciplinary Hearing	Termination
	Break or undermine a code, rule or instruction of the training provider	Counselling	Disciplinary Hearing	Termination
	Cheating in assessments	Termination		
	Refusal to comply with reasonable instructions related to training from authorised persons	Termination		
	Refusal to work	Termination		
	Brings liquor or illegal dependence-producing drugs onto the premises of the training provider	Disciplinary Hearing	Termination	
	Unauthorised consumption of alcohol and/or the administration of drugs for non-medical purposes during training hours on the premises of the training provider	Disciplinary Hearing	Termination	
	Under the influence of alcohol or intoxicating drugs during training	Disciplinary Hearing	Termination	
	Committing unsanitary or indecent acts on any premises associated with the training provider	Disciplinary Hearing	Termination	
	Possession of dangerous weapons at the training place or on company premises	Disciplinary Hearing	Termination	
	Threat of assault	Disciplinary Hearing	Termination	
	Accepts or offers a bribe to candidates, employees or Healthnicon officials	Disciplinary Hearing	Termination	
	Convenes or attends an assembly on Healthnicon premises without consent from relevant authorities	Disciplinary Hearing	Termination	
	Disrupts the process of tuition, research, administration or general activities of the training provider	Disciplinary Hearing	Termination	
	Intimidation or incitement to violence	Termination		
	Threat of assault to superior	Termination		
	Assault, sexual harassment, slander or racist behaviour	Termination		

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