



TEVET TRAINEE

CODE OF

CONDUCT

ENGLISH VERSION

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TABLE OF CONTENTS

FOREWORD.....	2
INTRODUCTION.....	3
PURPOSE OF THE CODE	3
STRUCTURE OF THE CODE	3
1. CORE VALUES & KEY PRINCIPLES	4
1.1 CORE VALUES	4
1.2 KEY PRINCIPLES	4
2. GENERAL RULES	5
2.1 ATTENDANCE	5
2.2 DRESS CODE.....	5
3. MISCONDUCT	7
3.1 ACADEMIC MISCONDUCT	7
3.2 NON-ACADEMIC MISCONDUCT.....	8
ANNEX 1: TRAINEE PREGNANCY POLICY	10
ANNEX 2: DISCIPLINARY COMPLAINTS PROCEDURE.....	12

FOREWORD

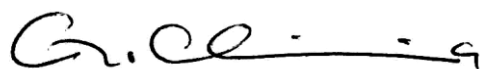
The Government of Malawi firmly believes that equitable and sustainable economic growth and development can only be achieved if they are built on a solid pool of skilled human resources. Human resources with appropriate technical and vocational skills are the backbone of Malawi's development. Our future relies on them.

The TEVET system is critical in this endeavour, working tirelessly to build a sustainable skilled human resource base that can help Malawi thrive. TEVET provides much needed technical and vocational skills through a dynamic system that combines in-class with on-the-job training, thereby ensuring that graduates do not just have the knowledge, but also the practical know-how, to become successful in their chosen field of study.

Trainees who have been accepted at TEVET institutions have a unique opportunity to become successful professionals, earn a decent living, and help build Malawi's future. In return, trainees are expected to conduct themselves professionally and respectfully on- and off-campus and uphold trust in, and respect for, TEVET colleges.

This, a comprehensive and standardised TEVET Trainee Code of Conduct has been developed to facilitate this.. The content of the Code is based on a thorough review of existing codes at TEVET colleges across Malawi and provides clear guidelines to TEVET trainees on how to conduct themselves in an ethical, respectful and professional manner. It is fully aligned with the Gender Equality Act of 2013.

I call upon all TEVET trainees to harness the opportunity they have been given to become successful professionals, to work hard, and follow the guidelines enshrined in this Code of Conduct. Malawi's future is in the hands of our youth - your hands! Make us proud.



Honourable Grace Chiumia, M.P.

MINISTER OF LABOUR, YOUTH, SPORTS, AND MANPOWER DEVELOPMENT

INTRODUCTION

PURPOSE OF THE CODE

The Trainee Code of Conduct forms the basis of the relationship between TEVET colleges and its trainees. The colleges are committed to providing a fulfilling learning environment and this commitment is underpinned by an expectation that trainees will conduct themselves in a manner consistent with the values and principles laid out in this Code of Conduct.

The purpose of this Code is to define the standards of behaviour, which all TEVET trainees agree to as a condition of their enrolment.

STRUCTURE OF THE CODE

The Code first outlines a number of core values and key principles that TEVET trainees are expected to embrace when they become part of the TEVET community. Second, the Code outlines general rules on attendance and appropriate dress, before describing instances of academic and non-academic misconduct, which are strictly prohibited at all TEVET colleges.

Annex 1 provides a TEVET Pregnancy Policy, which outlines procedures and support provided to trainee who become pregnant whilst enrolled at any TEVET institution. Annex 2 outlines the Disciplinary Complaints Procedure that can be evoked by any member of the college who wishes to report a violation of this Code of Conduct.

1. CORE VALUES & KEY PRINCIPLES

1.1 CORE VALUES

- ✓ **Integrity:** Trainees should exemplify honesty, honour and respect for the truth in all of their activities.
- ✓ **Respect:** Trainees should uphold human dignity and respect for equality and diversity, especially gender equality and respect for fellow trainees with disabilities.
- ✓ **Responsibility:** Trainees should accept a high level of responsibility for their actions on and off-campus, including their conduct and performance as trainees and their ability to finance their course, to identify and complete meaningful attachments and get TEVET certified.

1.2 KEY PRINCIPLES

The Code is based on the following key principles:

KEY PRINCIPLES

- Regularly attend class and be on time
- Dress professionally, practically and appropriately
- Act with honesty and integrity
- Act with respect, care and consideration

2. GENERAL RULES

2.1 ATTENDANCE

Key principle: Regularly attend class and be on time

- a. Trainees are required to attend all classes, practical exercises, and exams of their chosen programme of study.
- b. Trainees are required to arrive for class on time.
- c. A trainee who, for some reasonable justification, has to miss a class should notify the instructor concerned ahead of the class.
- d. A trainee who registers for a programme but does not attend class without appropriate notification shall be subject to disciplinary action, as outlined in annex 2.
- e. A trainee who reports late by one calendar week for a new term without appropriate notification shall be subject to disciplinary action.

2.2 DRESS CODE

Key principle: Dress professionally, practically and appropriately

The following guidelines should be observed for dress by all trainees:

- a. All clothing worn must be suitable for specific practical activities of the trainee's chosen occupation. Trainees should select clothing for school wear that does not create a safety hazard in meeting their performance requirements of their courses.
- b. All clothing must be appropriate for a professional setting and reflect good taste.
- c. Short shorts, very short skirts and dresses, tight shorts and running/gym shorts are not permitted.
- d. Use of offensive, obscene, and/or abusive words or symbols on clothing is not permitted. This includes the use of emblems, insignias, badges, or other symbols or lewd or vulgar words where the effect is offensive to a reasonable person or otherwise causes disruption or interference with the orderly operations of the college.

Revealing top garments, scooped out at the neck and shoulder, and/or showing excessive amounts of skin area, such as tank tops, halter tops, tube tops or other top garments are not permitted.¹

- e. Closed toe shoes or work boots are to be worn at all times during practical exercises.
- f. Trousers must be worn on the waist and underwear must not show.

¹ The supervising administrator shall determine if a particular mode of dress violates the above rules.

- g. Any jewellery, including rings, necklaces, bracelets, earrings, piercings, etc., must be removed during practical exercises.
- h. Trainees enrolled in industry placements are required to conform to their employer's dress code.

3. MISCONDUCT

3.1 ACADEMIC MISCONDUCT

Key principle: Act with honesty and integrity

Academic misconduct is prohibited. This misconduct includes, but is not limited to, the following:

1. Cheating

- a. Use and/or possession of unauthorised material or technology during an examination, or any other written or oral work submitted for evaluation and/or a grade, such as tape cassettes, notes, tests, calculators, computers, mobile phones and/or smart phones, or other electronic devices.
- b. Obtaining assistance with, or answers to, an examination or any other written or oral work submitted for evaluation and/or a grade from another person with or without that person's knowledge.
- c. Furnishing assistance with, or answers to, an examination or any other written or oral work submitted for evaluation and/or a grade to another person.
- d. Taking an examination or any other written or oral work submitted for evaluation and/or a grade in place of another person.

2. Fabrication

- a. The falsification of any information or citation in an examination or any other written or oral work submitted for evaluation and/or a grade.

3. Plagiarism

- a. Submitting another's published or unpublished work in whole, in part or in paraphrase, as one's own without fully and properly crediting the author with footnotes, quotation marks, citations, or bibliographical reference.
 - b. Submitting as one's own original work, material obtained from an individual or agency without reference to the person or agency as the source of the material.
 - c. Submitting as one's own original work material that has been produced through unacknowledged collaboration with others without release in writing from collaborators.
4. Aiding and abetting academic misconduct
- a. Knowingly helping, procuring, encouraging or otherwise assisting another person to engage in any of the academic misconduct listed above.

3.2 NON-ACADEMIC MISCONDUCT

Key principle: Act with respect, care and consideration

Non-academic misconduct is prohibited. This misconduct includes, but is not limited to, the following::

1. Behaviour

- a. *Indecent Conduct:* Disorderly, offensive, or indecent conduct, including public physical or verbal action; language commonly considered offensive (not limited to, but including, profanity); or distribution of obscene or defamatory written or electronic material.
- b. *Discrimination:* Disrespectful or offensive treatment of trainees or staff based on gender, spiritual and cultural values, ethnic background, socio-economic status, family status, or disability.
- c. *Violence:* Mental or physical abuse of any person on technical college premises or at technical college sponsored or technical college-supervised functions, including verbal or physical actions which threaten or endanger the health or safety of any such persons. This includes fighting and/or other disruptive behaviour, which includes any action or threat of action, which endangers the peace, safety, or orderly function of the technical college, its facilities, or persons engaged in the business of the technical college.
- d. *Sexual Abuse:* Unwanted physical contact of intimate body parts such as patting buttocks or stroking breast, massaging any part, or deliberate brushing against the body; unwanted attempted sex; physically forced sex; and pressured sex. Pressured sex refers to sex that a person has been pressured to engage in against their will through threats or harassment.
- e. *Sexual Exploitation:* Demands for sex in exchange for gifts, money, employment or academic favours.
- f. *Sexual Harassment:* Unwanted verbal or non-verbal conduct, which is sexually suggestive, harassing, offensive, or intimidating. The conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance or creating an intimidating, hostile or offensive environment.

Examples of sexual harassment include, but are not limited to:

- Unwanted and persistent explicit or implicit propositions to engage in sexual activity;
 - Exposure of sexual body parts;
 - Unwanted verbal communication, jokes, written or spoken references to sexual conduct, or sexual gossip;
 - Unwanted non-verbal conduct such as facial expressions, suggestive finger and other body gestures.
- g. *Disruption:* Intentional obstruction or interruption of teaching, administration, disciplinary proceedings, or other technical college activities, including the use of phones in class or during practical exercises, is prohibited.

2. Use of Technical College property

- a. *Theft and damage:* Theft of, misuse of, or harm to technical college property, or theft of or damage to property of a member of the technical college community or a campus visitor on technical college premises or at a technical college function are prohibited.
- b. *Occupation or seizure:* Occupation or seizure in any manner of technical college property, a technical college Premises, or any portion thereof for a use, which is not in line with its intended purpose, is prohibited.
- c. *Presence on Technical College premises:* Unauthorised entry upon technical college premises; unauthorised entry into technical college premises or a portion thereof which has been restricted in use; unauthorised presence in technical college premises after closing hours; or furnishing false information to gain entry upon technical college premises is prohibited.
- d. *Unauthorised assembly:* Participation in, or conducting an, unauthorised gathering that threatens or causes injury to person or property or that interferes with free access to technical college facilities or that is harmful, obstructive, or disruptive to the educational process or functions of the technical college is prohibited.
- e. *Littering and graffiti:* College grounds, classrooms and hostels must be kept tidy and free of litter or graffiti. Litter must be disposed of in appropriate containers and locations.

3. Drugs, alcohol and other substances

Substances referred to under this policy include all illegal drugs, alcoholic beverages, and misused legal drugs (both prescription and over-the-counter).

- a. *Alcohol:* Trainees must comply with all national laws regulating alcohol. Alcoholic beverages may not be served or sold at any functions on campus. Trainees being in a state of intoxication on technical college premises or at technical college-sponsored or supervised functions (including off-campus functions), on industry attachment, or in a technical college-owned vehicle is prohibited.
- b. *Controlled substances, illegal drugs and drug paraphernalia:* The technical college prohibits possession, use, sale, or distribution of any controlled substance, illegal drugs, or drug paraphernalia except as expressly permitted by law. Any influence, which may be attributed to the use of drugs or of alcoholic beverages, shall not in any way limit the responsibility of the individual for the conduct or consequences of his/her actions.
- c. *Tobacco:* The technical college prohibits smoking, or using other forms of tobacco products in classrooms, workshops or other unauthorised areas on technical college premises.

ANNEX 1: TRAINEE PREGNANCY POLICY

This policy outlines expectations from, and support provided to, TEVET trainees who are pregnant whilst enrolled at TEVET colleges.

PRINCIPLES

Be supportive: TEVET colleges will take a supportive and flexible approach to pregnant trainees and facilitate continued learning by maintaining a high-quality and safe training environment for pregnant trainees to the extent possible. This means that trainees are expected to be supported to stay at the college and continue their course until they are 32 weeks pregnant, their health permitting.

Be non-judgmental and sensitive: When supporting and working with trainees on matters of pregnancy, as outlined below, staff must take an open-minded and non-judgemental approach. Staff's role is to provide advice to the trainees to enable them to make informed decisions concerning their training programme and assessment.

Respect confidentiality: Information provided by trainees relating to their pregnancy should be treated with reasonable confidentiality.

Provide advice and guidance on family planning: TEVET colleges will provide advice and guidance to students on family planning, stressing the significant implications that pregnancy and childbirth are likely to have on a trainee's life at the college, including the implications for completing her course.

Re-admit on the same terms and conditions: Trainees who become pregnant during their time at TEVET have the unequivocal right to be re-admitted to the same college and the same course as prior to their pregnancy once they return from maternity leave approximately 3 months after delivery. Credits accumulated prior to their maternity-leave must be fully recognised and bursaries or scholarships awarded must not be reduced or withdrawn.

PREGNANCY POLICY

1. Confirming the pregnancy

1.1 A trainee who suspects that she is pregnant should see a doctor or a midwife to have the pregnancy confirmed.

2. Informing the college

2.1 Trainees have the responsibility to inform their matron or the Vice Principal verbally or in writing as soon as they suspect to be pregnant or, at the latest, once they have had the pregnancy confirmed.

2.2 It is important for the trainee to disclose her pregnancy status in order to enable the college to provide the support outlined in this policy.

3. Drawing up a Trainee Pregnancy Support Plan

3.1 Once the trainee has disclosed her pregnancy status, her matron or the Vice Principal will meet with her to draw up a Trainee Pregnancy Support Plan. The Trainee Pregnancy Support Plan will detail any special arrangements required during the trainee's pregnancy and the agreed timescale for her return to study. Any postponement of studies, assessment or attachment will be clearly outlined and agreed on.

3.2 Trainees are expected to stay at the college and continue their studies as normal until they are 32 weeks pregnant, with the exception of tasks that may compromise the trainee's or her baby's health as outlined in section 4 below.

3.3 Trainees are expected to return to their studies approximately three months after delivery, depending on the nearest suitable starting time, such as the beginning of the next term or the start of specific modules.

4. Ante-natal care

4.1 When developing the Trainee Pregnancy Support Plan, the matron or Vice Principal is expected to raise the awareness of the trainee on the importance of seeking regular ante-natal care. The importance of seeking care as early as possible, at least once in the first three months of the pregnancy, must be stressed as it provides access to anti-malarial medication, tests for anaemia and HIV, and significantly increases the chance of a healthy pregnancy.

5. Health and safety

5.1 Pregnancy should not be equated with ill health. However, there may be elements of a programme of study that could present a health and safety risk to a pregnant trainee or her child.

5.2 Close attention to health and safety measures will be required in certain subject areas, especially during practical exercises where the trainee might be exposed to chemicals or be expected to lift heavy objects.

5.3 In cases where simple adjustments can be made to alleviate the health and safety risk, necessary steps need to be taken. When such adjustments are not feasible, the trainee will temporarily suspend the given modules and complete them post pregnancy.

6. Pregnancy during industry attachment

6.1 If a trainee becomes pregnant during an industry attachment she must contact her college supervisor to make appropriate plans to ensure that her health and that of her child is safeguarded and academic progress is properly managed. This is likely to require the college to liaise with the company.

ANNEX 2: DISCIPLINARY COMPLAINTS PROCEDURE

OBJECTIVES

The objectives of the Disciplinary Complaint Procedure are as follows:

1. To establish an institutional framework to deal with violations of the Trainee Code of Conduct in a transparent and just way.
2. To, in particular, encourage victims of sexual abuse, exploitation or harassment to exercise their rights and maintain their dignity.
3. To take action in addressing violations of the Trainee Code of Conduct and impose corrective action as is necessary, including disciplinary action where appropriate.

PRINCIPLES

1. Confidentiality

1.1 Any person handling a case of misconduct and any party to the case shall treat it with confidentiality except where disclosure is necessary to prevent imminent harm.

1.2 Anonymous complaints are permitted.

2. Frivolous or false accusations

2.1 A trainee or member of staff who makes a frivolous, malicious and vexatious or false accusation of misconduct against another person is committing a disciplinary offence.

PROCEDURAL MATTERS

3. Disciplinary Committee

3.1 Each College shall set-up a Disciplinary Committee.

3.2 The Committee shall be composed of persons of high integrity of with a minimum of 40% and no more than 60% of either sex.²

3.3 The Committee shall be composed of a minimum of 60% staff.

3.4 The composition of the Committee shall comprise a pool of approximately 5-7 people, depending on the total number of staff at the college, including:

- a. The Vice-Principal;
- b. 2 to 4 Staff Representatives (1-2 female and 1-2 male);
- c. Two Trainee Council Representatives (1 female and 1 male).

3.5 Quorum: The Committee shall be able to conduct its business if a minimum of 3 people, including at least one woman, one student, and one staff representative are present.

² Gender Equality Act, 2013

3.6 The Vice-Principal shall be the chairperson of the Committee. In case the Vice-Principal is absent, the Committee shall vote on a replacement chair from within their members by majority vote.

4. Submission of reports of misconduct

4.1 Any trainee or member of staff can make a report of misconduct.

4.2 There are two forms of reports of misconduct:

- a. An informal report of misconduct;
- b. A formal report of misconduct.

5. Informal report of misconduct

5.1 Any member of the College community, who believes that she or he has witnessed or experienced a violation of the Trainee Code of Conduct, but is not ready to lodge a formal report, can lodge an informal report of misconduct.

5.2 An informal report of misconduct is made to any academic or administrative college staff, or trainee representative verbally or in writing.

5.3 In case of a verbal report, the member of staff or trainee representative who receives the verbal report is responsible for writing-up the complaint within 1 week of receipt.

5.4 An informal written complaint shall contain:

- a. Name and address of the complainant (optional)
- b. Date of the report
- c. Nature and details of the act or conduct reported
- d. Any other relevant matter concerning the report of misconduct

5.5 An informal written report on sexual violence, including sexual abuse, sexual exploitation and sexual harassment, should include the following:

- a. Name and address of the complainant (optional)
- b. Date of the report
- c. Time and place of each incident
- d. The conduct and words involved in the incident
- e. The victim's response
- f. The names of any witnesses; and
- g. Any other relevant matter concerning the incident

5.6 The informal report of misconduct shall be forwarded to the Disciplinary Committee by the member of staff or trainee representative who has received the complaint in writing for recording within 1 week of issuing or receipt of the written report of misconduct.

5.7 The informal report of misconduct remains on record by the Disciplinary Committee and may be used in future as evidence of repeated misconduct.

5.8 The member of staff or trainee representative who has received the complaint must inform the accused of the report lodged against him/her verbally or in writing within 1 week of receipt of the complaint.

5.9 The member of staff or trainee representative who has received the complaint is responsible for identifying an appropriate resolution to the misconduct reported within 2 weeks of having received the complaint and needs to communicate the resolution to the complainant and accused within this time frame.

5.10 The member of staff or trainee representative who has received the complaint can recommend and offer support to the complainant to lodge a formal complaint.

5.11 The member of staff or trainee representative who has received the complaint is responsible to follow-up regularly over a period of 2 months to ensure the resolution is adequately acted upon.

6. Formal report of misconduct

6.1 Any member of the College community who believes that he or she has witnessed or experienced a violation of the Trainee Code of Conduct can lodge a formal report of misconduct.

6.2 A formal report of misconduct can be made to any member of the Disciplinary Committee verbally or in writing. If a verbal complaint is made, the member of the Disciplinary Committee is responsible for writing-up the complaint within 1 week of receipt of the complaint.

6.3 A formal written complaint shall contain

- a. Name and address of the complainant (optional)
- b. Date of the report
- c. Nature and details of the act or conduct reported
- d. Any other relevant matter concerning the report of misconduct

6.4 A formal written report on sexual violence, including sexual abuse, sexual exploitation and sexual harassment, should include the following::

- a. Name and address of the complainant (optional)
- b. Date of the report
- c. Time and place of each incident
- d. The conduct and words involved in the incident
- e. The victim's response
- f. The names of any witnesses; and
- g. Any other relevant matter concerning the incident

7. Consideration of nature of formal reports of misconduct

7.1 The Disciplinary Committee will consider each formal report of misconduct received and decide on whether the nature of the misconduct is such that it can be investigated internally or whether it warrants referral to the police for investigation.

7.2 The decision of whether or not to investigate the report internally will be reached by majority vote within 1 week of receiving the complaint. It will be based on the gravity and frequency of the misconduct and whether or not the misconduct is criminal in nature as stipulated in Malawi national law.

7.3 If the Disciplinary Committee decides that the misconduct warrants external investigation by the police, it will hand-over the complaint to the police within 1 working day of reaching the decision. The Disciplinary Committee will follow the external investigation and keep the outcome of the investigation on file.

7.4 If the Disciplinary Committee decides that the misconduct is best dealt-with internally, a hearing will be held (see section 8 below).

7.5 Regardless of progress of the external investigation, the welfare and safety of trainees and staff must be guaranteed, which might warrant the temporary suspension of the accused.

8. Hearings for formal reports of misconduct

8.1 A hearing will be held within 1 week of receipt of the formal report of misconduct

8.2 A friend or colleague may accompany a complainant or the accused to the hearing.

8.3 In cases of alleged sexual abuse, harassment or exploitation, the complainant and accused shall not be required to be in the same room at the same time.

8.4 In cases of alleged sexual abuse, harassment or exploitation, the complainant or accused shall not be allowed or required to unnecessarily and repeatedly recount the events complained of, as recounting the experience of sexual abuse, harassment, or exploitation is difficult and can damage the party's personal dignity.

8.5 An accused person who has been summoned and fails to attend the hearing without good reason that is communicated in writing ahead of the hearing commits an offense and shall be dismissed.

9. Investigation

9.1 The Committee shall carry out an investigation of the reported misconduct with independence, objectivity and with due diligence and respect for rights of both the complainant and the accused.

9.2 Any member of the Committee who is connected with the allegation in any way shall be excluded from the process.

9.3 A report of misconduct shall be investigated, and concluded, within one week after receipt of the written report of misconduct, except in special circumstances.

10. Resolution

10.1 The Committee will vote on an appropriate resolution of the reported misconduct within one week of having held the hearing and conducted the investigation following the principle of simple majority voting.

11. Communication of resolution

11.1 The resolution will be communicated verbally and in writing to the complainant and the accused within one week of having reached the resolution.

12. Penalties

12.1 A person found guilty of misconduct shall be, depending on the gravity of the offence, be liable to any or a combination of the following:

- a. Written warning
- b. Ordered to give a public apology to the aggrieved party
- c. Ordered to compensate the aggrieved party
- d. Suspension
- e. Dismissal³

12.2 The penalties given by the Committee shall not preclude the complainant from seeking remedy/remedies provided by the national judicial framework.

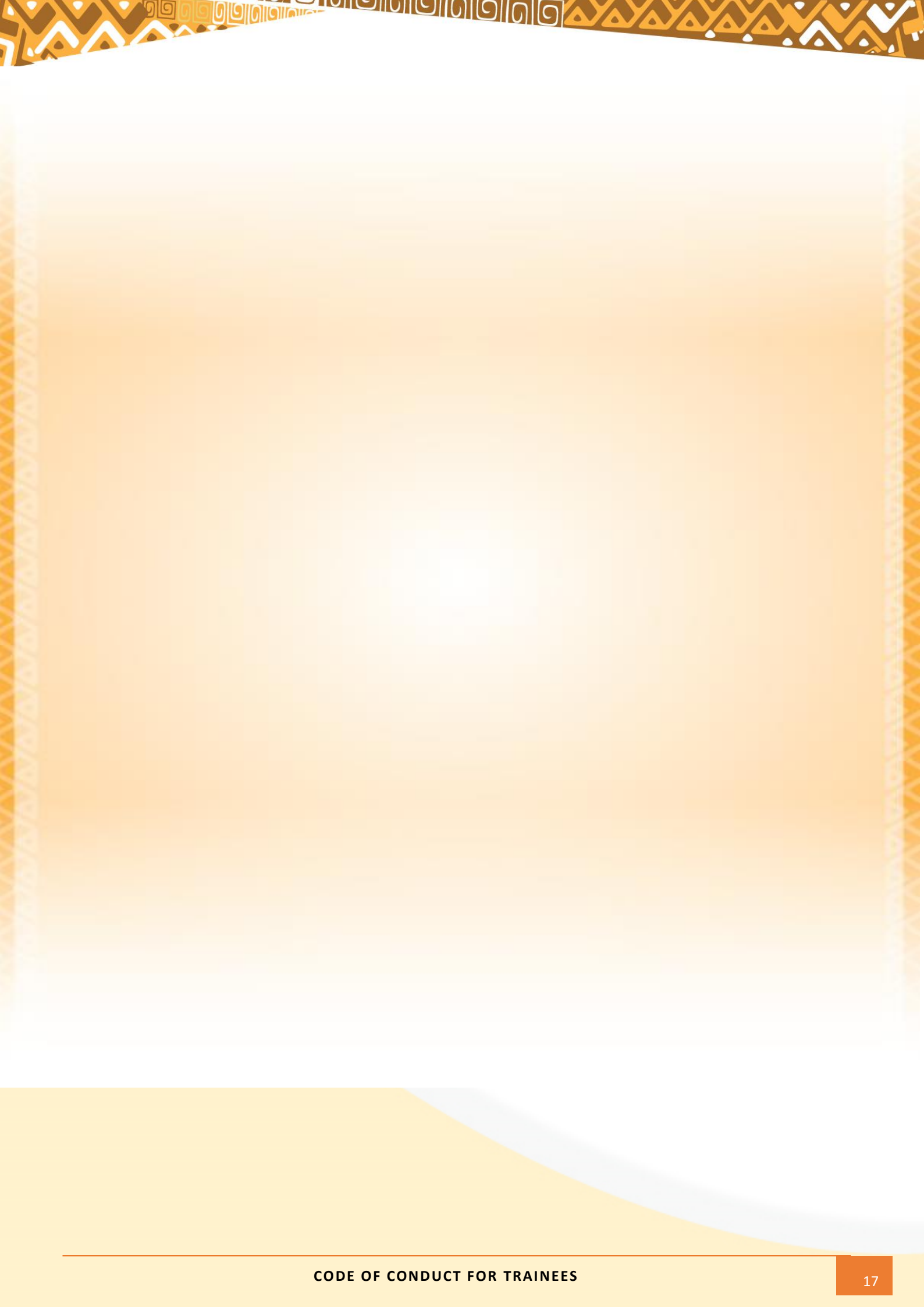
³ Any case of dismissal must be formally approved by the Principal.

13. Appeal

13.1 In case the complainant or the accused feel aggrieved by the decision of the Committee, they may, within 2 weeks, appeal against the decision.

13.2 An appeal can be, in the first instance, raised with the college Board of Directors, the Board of Governors, or the Principal.

13.3 Should no solution be found in the first instance, the aggrieved party can, within a further 2 weeks, raise an appeal with the Directorate of Technical, Entrepreneurial, and Vocational Education and Training at the MoLYSMD.



TEVET CODE OF CONDUCT FOR TRAINEES



WE PROMISE TO UPHOLD THE CORE VALUES OF:

INTEGRITY:

HONESTY
HONOUR
RESPECT
FOR THE TRUTH



RESPECT:

EQUALITY
DIVERSITY
HUMAN
DIGNITY



RESPONSIBILITY:

FOR OUR ACTIONS
FOR OUR PERFORMANCE
FOR OUR FUTURE



WE PROMISE TO:

**ATTEND CLASS
& BE ON TIME**



**DRESS PROFESSIONALLY,
PRACTICALLY &
APPROPRIATELY**



**ACT WITH HONESTY
& INTEGRITY**



**ACT WITH RESPECT,
CARE & CONSIDERATION**



**WE PROMISE TO
ACT PROFESSIONALLY &
BECOME PROFESSIONALS**