



POLICY NUMBER:	2.13	VERSION NUMBER:	3.0
DATE LAST REVIEWED:	May 2025	NEXT REVIEW DATE:	May 2026
RELATED POLICIES:	Student Code of Conduct	RESPONSIBILITY: Academic Council	
RELATED PROCEDURES:	Included within this Policy		

NON-ACADEMIC MISCONDUCT

1.0 Purpose

This policy defines the actions that constitute academic or non-academic misconduct by higher education students, and outlines the College process for investigating allegations of such misconduct. It also describes the potential consequences should an allegation be proven.

This policy should be read in conjunction with the *Student Code of Conduct* (the Code) which describes the expectations of the College and higher education students' behaviour.

2.0 Scope

- All campuses
- All higher education courses and subjects
- All higher education students – domestic and international
- All academic staff (including contractors)

3.0 Student Misconduct (non-academic)

Student misconduct (non-academic) includes, but is not limited to conduct that:

1. contravenes or demonstrates disregard for the provisions of the Code, non-academic rules, policies, procedures and/or guidelines; and/or
2. adversely impacts on the College's reputation including the reputation of staff, students, or other members of the College community; and/or
3. is criminal or unlawful on College premises or property, or on a location where a student is present under the auspices of the College; and/or
4. damages or wrongfully deals with any property under the control of the College, any property on College premises, or property on a location where a student is present under the auspices of the College; and/or
5. obstructs any staff, student, or other member of the College community in the performance of their duties; and/or
6. assaults, threatens, bullies, harasses, or endangers any staff, student or other member of the College community or causes them fear for their personal safety; and/or
7. attempts to improperly influence any staff, student or other member of the College community in the performance of their duties; and/or disobeys any instruction of the College community, including the failure to leave any building or part of a building when directed to do so, or the failure to comply with an imposed penalty or agreed outcome under College rules and policies; and/or
8. impairs the reasonable freedom of other persons to pursue their studies or research or to participate in the life of the College; and/or
9. disrupts, interferes with, or is detrimental to the conduct of any teaching, study, assessment, research, or administration of the College; and/or



10. refuses, withholds, or fails to identify oneself truthfully or furnishes false personal information to any staff, student, or other member of the College community; and/or
11. falsifies, or attempts to falsify, College records or official files/documents; and/or
12. breaches confidentiality or privacy requirements or obligations in respect of the College, its staff, students, clients, or other members of the College community (including via inappropriate communication on social media); and/or
13. significantly obstructs or interferes with the business of the College; and/or
14. encourages, persuades, or incites any other person to engage in conduct or behaviour constituting non-academic misconduct.

4.0 Responsibility

- 4.1 It is the responsibility of all members of the College community to report alleged incidents of Student Misconduct.
- 4.2 Non-academic matters should be referred in the first instance to a Campus Manager / Coordinator, a senior staff member on campus or a Student Services Adviser. It is the responsibility of the senior staff member first notified to complete the necessary communications via the Staff Portal > Misconduct Form, or by contacting the National Student Affairs Coordinator, to support a case submission and management.

5.0 Classifications of Misconduct

The College has classified non-academic misconduct into two categories:

- General Misconduct
- Serious Misconduct

Consequences for misconduct are determined by the classification, which is applied after investigation of the allegation.

5.1 Examples of General Misconduct

General Misconduct by a student may include but is not limited to the following examples:

- Minor disturbances during academic activities (face to face, online / livestream or clinical setting) that interfere with the freedom of a student or limits the capacity of an academic staff member to fulfil their duties
- Minor disturbances in any College venue or activity that represent immature, boisterous or childish behaviour that is disruptive or offensive
- First instances of breaking, ignoring or being unaware of College rules or the Code of Conduct (dependent on the nature of the rule broken or ignored)
- Behaving in an unsafe manner in any College venue or activity
- Behaviour that causes offence whether intentional or otherwise
- Smoking on College property
- Drinking alcohol on College property unless at an organised event.

5.2 Examples of Serious Misconduct

Serious Misconduct by a student may include but is not limited to the following examples:

- Repeated disruptions during academic activities (face to face or online) that interfere with the learning of other students



- Showing disrespect to College staff or other students (including via social media or other online activities)
- Showing disrespect to members of the public when acting on behalf of the College (e.g. clinic clients, practical placement supervisors)
- Bullying or harassing behaviour including (but not limited to) cyber-bullying, assault, intimidation or displaying aggression towards others at any time during academic activities, when representing the College publicly or when on campus
- Using threatening behaviour such as verbally abusing staff, using expletives, yelling over and / or at staff when on the phone, in meetings, on campus, via chat, defamation of character via social media platforms or via written communications.
- Interfering with or causing wilful or negligent damage to or defacing any College property
- Theft of College property or any personal property from other individuals or organisations on College property
- Attending College activities (including academic and non-academic activities) under the influence of, alcohol, drugs or any other prohibited substance.
- Attending College activities (including academic and non-academic activities) in the possession of weapons with intent to cause harm or intimidation to others at any time
- Discriminating against anyone on the grounds of gender identity, sexual orientation, marital, parental or carer status, pregnancy, breastfeeding, age, physical features, impairment, race, ethnicity, political or religious belief or activity, or industrial activity
- Engaging in fraudulent or intentionally deceptive activity
- Wilful, violent or unsafe behaviour
- Repeated instances of breaking, ignoring or being unaware of College rules or the Code of Conduct.

6.0 Procedural Fairness

The College is committed to managing allegations of student misconduct in accordance with the principles of procedural fairness and natural justice. All students will be afforded the right to be heard, to respond to allegations, and to have matters determined without bias and in a timely manner. The College treats repeated breaches of the Student Code of Conduct with particular seriousness.

7.0 Handling the Alleged Misconduct

- 7.1 The procedures for addressing possible non-academic student misconduct are designed to be limited, fair, and responsive. The Academic Council has delegated authority to the Director of Student Services & Retention (or their delegate) - the decision-maker - to assess and manage allegations of misconduct.
- 7.2 The decision-maker may either:
 - a) determine to accept or dismiss the allegation and, if accepted, apply reasonable penalties in accordance with the classification of misconduct; or
 - b) refer the allegation to the Student Misconduct Committee.

7.3 Reporting Alleged Misconduct (Step 1)

- A staff member or student who observes or experiences what they believe may be misconduct should notify a Campus or Clinic Manager/Coordinator, senior staff member, Lecturer, or Student Services Adviser.



- The observer may, at their discretion, first raise the matter directly with the individual concerned before notifying staff.
- Reports should include sufficient detail and any supporting evidence. The receiving staff member must forward this to the decision-maker.

7.4 Initial Review (Step 2)

- Within 5 working days, the decision-maker will review the allegation, evidence, and any relevant prior incidents.
- The decision-maker may:
 - a) Dismiss the allegation if there is insufficient evidence to proceed; or
 - b) Contact the student to put the allegation to them and invite a response.
- If contacted, the student must be given up to 10 working days to respond in writing, via meeting, or by telephone.

7.5 Determination (Step 3)

- The student's response (if provided) and any further evidence will be recorded on the student's file.
- The decision-maker will then, within 5 working days of receiving the student's response (or of the response deadline if no reply is received):
 - a) make a decision on the matter, notifying the student and relevant staff of the outcome and any penalties; or
 - b) refer the matter to the Student Misconduct Committee (for serious misconduct only).
- The decision-maker may seek advice or additional information from others at any stage.
- In cases of serious misconduct, the decision-maker may impose a temporary exclusion from student activities pending the Committee's determination. Temporary exclusion will only be applied where safety or criminal concerns are present (e.g., assault or threats to safety). The terms of exclusion will be confirmed in writing.
- Where the student is an international student, the decision-maker must also refer to the Deferring, Suspending or Cancelling Enrolment Policy – International.

7.6 Student Misconduct Committee (Step 4)

- Allegations may be referred to the Student Misconduct Committee – HE if:
 - the decision-maker considers the matter serious enough to warrant referral; or
 - the student appeals the decision-maker's outcome.
- The Committee is convened on an ad hoc basis in line with the College's Academic Governance Framework. Membership and Terms of Reference are set out in that framework.
- The Committee may request staff or students involved in the matter to provide information or attend a meeting.
- The Committee will determine an outcome and notify the student in writing of its decision and any penalties within 10 working days.
- The Director of Student Services & Retention (or delegate) is responsible for ensuring the student's record is updated with information on outcomes and penalties..
- If the student wishes to appeal the Committee's decision, the matter will proceed directly to Stage 4 of the Complaints and Appeals process. External mediation will be arranged in line with the [Complaints and Appeals Policy](#).



8.0 Outcomes & Penalties

8.1 General Misconduct

Possible outcomes determined by the decision-maker for allegations found to be General Misconduct may include, but are not limited to, the following:

- allegations made against the student are dismissed
- verbal reprimand/warning against further misconduct via telephone or in person
- a formal written warning via email or letter and recorded on student file
- requested written and/or verbal apology to those involved
- student to attend alternative class sessions based on availability of timetabled classes
- restricted access to certain College facilities for a period of time
- student to attend counselling and connect with Talk Campus or
- a combination of the above.

8.2 Serious Misconduct

Possible outcomes determined by the decision-maker or the Student Misconduct Committee - HE for allegations found to be Serious Misconduct may include, but are not limited to, the following:

- a formal written warning via email or letter and recorded on student file
- requested written and verbal apology to those involved
- student to attend counselling through their local GP or a College-recommended referral
- student to initiate and complete action designed to mitigate the consequences of the serious misconduct to the satisfaction of the decision-maker
- immediate withdrawal of the student from professional placement or clinic activities
- exclude the student from representing the College at any College activity for a period of time (e.g. College Open Days)
- exclude the student from representing the student body on College governing bodies or as a Student Partner
- probationary enrolment for a period up to 12 months, subject to the student's ongoing good behaviour and/or other conditions as determined by the decision-maker
- suspend the student from the College for a specified period of time, not exceeding 12 months
- withhold results
- exclude the student from the College permanently
- refer the matter to an external agency for action (e.g. Police or ICAC); or
- a combination of the above.

9.0 Appeals

- 9.1 If the student wishes to further appeal the outcome determined by the decision-maker, they must respond to the written notification of the outcome within 10 working days of receipt of the decision, requesting an investigation by the Student Misconduct Committee.
- 9.2 If the student wishes to further appeal the outcome of the Student Misconduct Committee, they must lodge a grievance within 10 working days of receipt of the committee's decision, in accordance with the [Complaints and Appeals Policy](#).



10.0 Relevant Legislative and Regulatory Documents

- Higher Education Standards Framework (Threshold Standards) 2021
- Privacy Act 1988 (Cth)
- TEQSA (2019), *Guidance Note: Grievance and complaint handling*.

11.0 Version Control History

Version	Date Approved	Approved By	Summary of Changes
1.0	March 2023	Academic Council	New policy created to replace the <i>Grievance Policy – Domestic Students – HE</i> . All changes from previous Grievance Policy incorporated
2.0	November 2023	Academic Council	Revised for clarity of timeframes (wording change). Published as v2.0 due to system practice of version roll-up.
3.0	May 2025	Academic Council	Policy renamed and renumbered from STU-008 Student Misconduct – Higher Education to 2.13 Non-Academic Misconduct. References to academic misconduct removed to avoid duplication and ensure alignment with the separate Academic Misconduct Policy (2.12). References to the rescinded STU-021 policy updated in line with the current framework. No other substantive changes made.