



## **Personal Conduct Policy and Procedure**

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### Modification history

Date	Modification	Person/s responsible
5/01/2012	Modification of existing policy	Dr Ian Whyte
27/6/2012	Changes to extent of misconduct to public environment	Dr Ian Whyte
6/11/2012	Addition of the Changes to the Policy section	Dr Ian Whyte & Gerald Lipman
17/12/13	Addition of false statements and/or false and fraudulent document to definition of "misconduct" page 2	Dr Ian Whyte & Gerald Lipman
7/01/2014	Change title of grievance policy as recommended by TEQSA 19/12/2013	Dr Ian Whyte & Gerald Lipman
25/1/2016	Minor title updates	Dr George Brown
05/9/2018	Removal of final appeal stage – CC decision is final	Dr George Brown & Gerald Lipman
05/11/19	Addition of section 'Student appeals against disciplinary action' and included definition of sexual assault and sexual harassment	Dr George Brown & Gerald Lipman
05/12/19	Information added in relation to the needs of Aboriginal and Torres Strait Islander peoples and their traditional cultural practices	Dr George Brown & Gerald Lipman
Jan 2020	Changes to position titles	Dr George Brown and Natalie Simmons

### Definitions

"Misconduct" includes:

- any conduct which impairs the reasonable freedom of other persons to pursue their studies, research, duties or lawful activities in the College or to participate in the life of the College;
- willful disobedience of a reasonable direction of a senior officer of the College;
- acting dishonestly or unfairly in connection with any examination conducted by or within the College or the preparation or presentation or any essay, exercise or thesis, or failing to comply with the requirements of a supervisor of any examination.
- assaulting, attempting to assault or threatening a person on College premises;
- disobeying or failing to observe any provision of any Policy, including the failure to attend compulsory events, assemblies and other organised activities without prior approval or valid reason;
- engaging in sexual assault and/or sexual harassment as defined in the Sexual Assault & Sexual Harassment Policy
- divulging any confidential information relating to any College matter;
- entering any place within the premises of the College which the student is forbidden by a senior officer of the College to enter;
- failing to leave any building or part of a building of the College forthwith upon being directed by senior officer of the College;
- intimidating, obstructing, disturbing, delaying or influencing improperly, or attempting to do so, any College Council Disciplinary Enquiry set up under this Policy or any member of any such College Council Disciplinary Enquiry or any witness who is appearing or who has been called to appear before any such enquiry;
- wilfully damaging or wrongfully dealing with any College property or any property upon College premises;
- wilfully obstructing or attempting to deter any officer or employee of the College in the performance of duties;
- wilfully obstructing any teaching or research activity, examination or official meeting or proceeding of the College;
- engaging in any conduct during an internship and/or in a public environment likely to bring the College into disrepute;
- repeated inappropriate or excessive use of electronic mail/internet access or inappropriate use of IT infrastructure and software applications

- *subverting, or conspiring to subvert, academic rigour and assessment by posting or otherwise sharing files or assignments in a manner that leads, or potentially may lead, to plagiarism by others;*
- *acting dishonestly in the provision of false statements and/or false and fraudulent documents to ICHM during pre-enrolment and/or during enrolment in the ICHM programs including information connected with industry placement*

*“Senior officer of the College” means any member of the Academic Board, the College Council, the Principal and Program Director, Academic, the Manager or staff at Regency International House, any member of the academic and administrative staff of the College, and any person for the time being acting in the office of any such officer and any other member of the staff of the College whom the College Council, Academic Board, Academic Committee, principal or Vice principal may designate as a senior officer for the purposes of this Policy.*

*“Supervisor” means any person appointed by the College to supervise an examination.*

## **Preamble**

ICHM seeks to prepare students to meet or exceed the demands and expectations of industry. The highest standards of courtesy and professionalism by staff and students in all aspects of study at ICHM are expected.

ICHM have policies relating to personal conduct of staff and these are provided to staff prior to employment.

## **Policy – student misconduct**

ICHM students are expected to conduct themselves in a manner which does not impair the functioning of the College and the reasonable freedom of other persons to pursue their studies, research, duties or lawful activities of the College or to participate in the life of the College and to observe the ICHM Student Code of Behaviour.

An ICHM student who does not conduct themselves in such a manner may be reported for misconduct under this Personal Conduct Policy.

## **Procedure – student misconduct**

Any complaint alleging misconduct on the part of a student or students should be made in writing to the Principal.

The Principal shall conduct a thorough investigation to determine the facts. If the Principal determines that the student has not misconducted themselves, then the matter will be closed. The Principal will write to the complainant with his/ her findings and advise that the matter will not proceed.

If the Principal determines that the student has misconducted themselves, the Principal shall refer the complaint or apparent misconduct (as the case may be) in writing to the Chief Executive for an enquiry.

Upon receipt of the complaint, the Chief Executive shall refer the matter to the College Council. The College Council shall:

- inform the student of the details of the complaint of misconduct or apparent misconduct which has been made or occurred;
- convene a College Council Disciplinary Enquiry with the person making the complaint or with the Principal (as the case may be), the student complained against and any other person deemed to be relevant by the Chairperson;
- give each person appearing and having knowledge of the matter reasonable opportunity to be heard;
- if so desired by the student complained against and the person making the complaint or the Principal (as the case may be), permit both or either of them to be assisted at the enquiry by another member of the College provided that the member nominated by either is not also a practitioner of the Supreme Court of South Australia;
- explore reasonable avenues for settling the complaint before invoking any disciplinary powers;
- have the power to conduct the enquiry in such a manner, as the Chairperson deems appropriate and to terminate the proceedings at any point, if in the opinion of the College Council it is impossible for any reason to complete the enquiry.

If the disciplinary enquiry finds misconduct proved, the College Council, through the Chief Executive, may impose any one or more of the following penalties:

- suspension from attendances at classes;
- suspension of the right to enter or be on the land and premises of the College, or any specified building or land of the College or any specified part thereof;

- exclusion or suspension from attendance at any examination (imposed prior to or during the currency thereof);
- cancellation or refusal of credit for any examination in any case where cheating or dishonesty in examinations is established;
- expulsion from the College for a limited period
- expulsion from the College

The College Council may also, at its sole discretion, direct that a Grade of Proscribed Conduct (PC) be recorded on the student's official transcript.

A determination made by the College Council shall be advised in writing to the student or students concerned who shall also each be provided with a copy of the findings and reasons for any determination within seven days of such determination being made.

ICHM will remain supportive and sensitive to the needs and traditional cultural practices of Aboriginal and Torres Strait Islander peoples. For more information, please refer to the *Diversity, Equity and Inclusion policy*.

### **Student appeals against disciplinary action**

Students who wish to appeal a decision of the College Council should do so in writing under the Academic or Non-Academic Grievance Policy.

### **Changes to the Policy**

The Chief Executive and Principal must approve any change to this Personal Conduct Policy and Procedure.

## **ICHM CODE OF BEHAVIOUR**

At ICHM we value:

- difference and diversity
- cooperation
- respect
- tolerance
- academic debate and the
- freedom of expression balanced with social responsibility.

While on campus, or off campus in a public environment, during Industry Placement or while attending formal or informal activities organised by ICHM, all students, staff, contract staff and visitors are expected to behave in a considerate and courteous manner when dealing with other staff, students and members of the public.

ICHM aims to provide high quality education in which all students are encouraged to strive for excellence and fulfil their potential. Unacceptable behaviour can hinder the academic progress or work performance of others.

This Code of Behaviour clearly defines student and staff rights and responsibilities, which relate to appropriate behaviour. The intent is to foster a learning environment in which all students and staff can participate safely and effectively.

## **RIGHTS AND RESPONSIBILITIES**

Students and staff within ICHM have a right to work and study in an environment free from harassment, discrimination or threatening behaviour. Violence, intimidation, victimisation and harassment will not be tolerated.

Everyone must respect:

- the rights of others
- diversity
- people's rights to privacy and confidentiality.

The right to have your say is balanced with the responsibility to listen to others.

Violence, intimidation, victimisation (bullying) and harassment will not be tolerated.

## **CONSEQUENCES OF UNACCEPTABLE BEHAVIOUR**

Where student behaviour is disruptive or unacceptable, disciplinary action will be taken under the provisions of the Personal Conduct Policy.