

## 1. Policy Statement and Purpose

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ICHM prepares 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 and on WIL placement are expected.

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

## 2. Policy – student misconduct

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

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

## 3. Definitions

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*“Misconduct” includes:*

- *any conduct which impairs the reasonable freedom of other persons to pursue their studies, research, duties or lawful activities in ICHM or to participate in the life of ICHM;*
- *wilful disobedience of a reasonable direction of a senior officer of ICHM;*
- *acting dishonestly or unfairly in connection with any examination conducted by or within ICHM or the preparation or presentation of 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 ICHM 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 ICHM matter;*
- *entering any place within the premises of ICHM which the student is forbidden by a senior officer of ICHM to enter;*
- *failing to leave any building or part of a building of ICHM forthwith upon being directed by senior officer of ICHM;*
- *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 ICHM property or any property upon ICHM premises;*
- *wilfully obstructing or attempting to deter any officer or employee of ICHM in the performance of duties;*
- *wilfully obstructing any teaching or research activity, examination or official meeting or proceeding of ICHM;*
- *engaging in any conduct during an internship and/or in a public environment likely to bring ICHM 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 ICHM” means any member of the Academic Board, ICHM Council, the CEO and Program Director Academic, any member of the academic and administrative staff of ICHM, and any person for the time being acting in the office of any such officer and any other member of the staff of ICHM whom ICHM Council, Academic Board, Academic Committee, or CEO may designate as a senior officer for the purposes of this Policy.*

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

#### **4. Procedure – student misconduct**

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

The PDA shall conduct a thorough investigation to determine the facts. If the PDA determines that there has been no misconduct, then the matter is closed. The PDA will write to the complainant to advise that the matter will not proceed.

If the PDA determines that misconduct occurred, the PDA refers the complaint or apparent misconduct (as the case may be) in writing to the CEO for an enquiry.

Upon receipt of the complaint, the CEO refers the matter to the College Council. The College Council:

- informs the student of the details of the complaint of misconduct or apparent misconduct which has been made or occurred;
- convenes a College Council Disciplinary Enquiry with the person making the complaint or with the CEO (as the case may be), the student complained against, and any other person deemed to be relevant by the Chairperson;
- gives 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 CEO (as the case may be), permits both or either of them to be assisted at the enquiry by another member of ICHM provided that the member nominated by either is not also a practitioner of the Supreme Court of South Australia;
- explores reasonable avenues for settling the complaint before invoking any disciplinary powers;
- has 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 ICHM Council it is impossible for any reason to complete the enquiry.

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

- suspension from attendance at classes;
- suspension of the right to enter or be on the land and premises of ICHM, or any specified building or land of ICHM 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 ICHM for a limited period
- expulsion from ICHM.

ICHM 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 ICHM Council is 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 remains 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*.

## 5. Student appeals against disciplinary action

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

## 6. Approval

<b>Personal Conduct</b>	
<b>Policy Owner</b>	Chief Executive Officer
<b>Version Number</b>	7.2
<b>Approval Authority</b>	Chief Executive Officer
<b>Approval Date</b>	21 February 2022
<b>Next Review Date</b>	February 2025

<b>Date</b>	<b>Version</b>	<b>Modification</b>	<b>Person/s responsible</b>
5/01/2012	1.0	Modification of existing policy	Dr Ian Whyte
27/6/2012	2.0	Changes to extent of misconduct to public environment	Dr Ian Whyte
6/11/2012	3.0	Addition of the Changes to the Policy section	Dr Ian Whyte & Gerald Lipman
17/12/13	4.0	Addition of false statements and/or false and fraudulent document to definition of "misconduct" page 2	Dr Ian Whyte & Gerald Lipman
7/01/2014	5.0	Change title of grievance policy as recommended by TEQSA 19/12/2013	Dr Ian Whyte & Gerald Lipman
25/1/2016	5.1	Minor title updates	Dr George Brown
05/9/2018	6.0	Removal of final appeal stage – CC decision is final	Dr George Brown & Gerald Lipman
05/11/19	7.0	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	8.0	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	7.1	Changes to position titles	Dr George Brown and Natalie Simmons
21/02/2022	7.2	Minor amendments per VU	CEO