

STUDENT CODE OF CONDUCT PROCEDURE

Approving authority	Executive Management Team
Purpose	This procedure outlines the values and conduct expected of all students.
Responsible Officer	Academic Dean and Head of Marketing and Student Experience
Next scheduled review	September 2026
Document Location	http://www.ozford.edu.au/higher-education/policies-and-procedures/
Associated documents	<p>Student Code of Conduct Policy</p> <p>Academic Appeals Policy and Procedure</p> <p>Academic Integrity Policy and Procedure</p> <p>Academic Progress Policy and Procedure</p> <p>Anti-Bullying and Harassment Policy and Procedure</p> <p>Anti-Discrimination Policy and Procedure</p> <p>Completion within Expected Duration of Study Policy and Procedure</p> <p>Deferring, Suspending or Cancelling a Student’s Enrolment Policy and Procedure</p> <p>Diversity and Equity Policy and Procedure</p> <p>Occupational Health and Safety Policy</p> <p>Privacy Policy and Procedure</p> <p>Records management Policy and Procedure</p> <p>Sexual Assault and Sexual Harassment Policy and Procedure</p> <p>Social Media Policy and Procedure (Students)</p> <p>Student Grievances and Appeals Policy and Procedure</p> <p>Student Support and Services Policy and Procedure</p> <p>Use of Information Technology Facilities and Services Policy and Procedure (Students)</p> <p>Younger Students Policy and Procedure</p>

1. PRINCIPLES

The ***Student Code of Conduct Policy and Procedure ((Student Code of Conduct)*** provides the framework and clarifies the standards of conduct that are expected of students at Ozford Institute of Higher Education (henceforth ‘the Institute’). The four basic principles that underpin the Student Code of Conduct are:

- **Fairness** - The Institute will ensure that student discipline procedures are transparent, consistent, equitable and fair, and consistent with the principles of natural justice;
- **Accountability** - The Institute will identify and specify responsibilities and accountabilities for decisions and processes in the resolution of any behavioural issue(s);
- **Appropriateness** - The Institute will define a framework of penalties which may be imposed for substantiated misconduct that is appropriate, proportionate and consistent.
- **Communication** - The ***Student Code of Conduct Policy and Procedure*** will be communicated clearly to the students and the manner of resolution of any breach by any person will be consistent throughout.

The Student Code of Conduct does not cover all situations; it articulates the expectations and aspiration of the Institute in relation to student conduct, including strategies to address inappropriate conduct.

The Student Code of Conduct is developed as a basis for providing:

- a positive support to promote high standards of achievement and conduct; and
- articulation of responses and consequences for inappropriate conduct.

2. SCOPE

The Student Code of Conduct Policy and Procedure (*Student Code of Conduct*) applies to all current and prospective students.

The Student Code of Conduct applies in all Institute environments not only on campus but also , off campus while commuting to and from or participating in the Institute initiated activities or online using the Institute facilities or in communications or activities involving other students and/or staff of the Institute.

3. DEFINITIONS

Expulsion

Expulsion is the process of terminating a student enrolment ie. excluding the student from the Institute in which he or she is expelled.

General Misconduct

General misconduct is where a student acts dishonestly; harasses other students or staff; interferes with students or staff; prevents or disrupts learning; disobeys/fails to comply with contractual or legal requirements (e.g. non-payment of fees); misuses, damages or steals Institute's property or the property of others; alters/defaces the Institute documents or records; prejudices the good name of the Institute, or otherwise acts in an improper manner.

Institute Environments

Institute environments means any physical or virtual place made available by the Institute for use by a child for teaching, learning or Institute activities, including:

- the campus;
- Online learning environments; and
- Other physical environments where the Institute operates or conducts activities.

Physical environments

Physical environments are the physical places where the Institute operates or conducts activities, such as a building, facility or space and includes physical environments operated by third parties.

Online environments

Online environments are any technological platforms which the Institute uses or controls, such as computers, phones, websites, intranet, social media and video conference facilities regardless of where such platforms may be accessed by students.

Severe misconduct

Severe misconduct includes but not limited to

- acts dishonestly in relation to admission to the Institute;
- knowingly makes any false or misleading representation about things that concern the student as a student of the Institute or breaches any of Institute rules;
- harasses or intimidates another student, a member of staff, a visitor to the Institute, or any other person while the student is engaged in study or other activity as an Institute student, because of race, ethnic or national origin, sex, marital status, sexual preference, disability, age, political conviction, religious belief or for any other reason;
- Misuses any facility in a manner which is illegal, or which is or will be detrimental to the rights or property of others. This includes the misuse, in any way, of any computing or communications equipment or capacity to which the student has access at or away from the Institute premises while acting as an Institute student, in a manner which is illegal, or which is or will be detrimental to the rights or property of others;
- steals, destroys, or damages a facility or property of the Institute or for which the Institute is responsible

Suspension

Suspension is a disciplinary measure that involves temporary removal of a student from the Institute's approved activities for a specified period of time. Students will be allowed to return to the Institute approved activity after the suspension period has ended.

4. PROCEDURE

Prevention, Training and Awareness

- 4.1. The ***Student Code of Conduct Policy and Procedure*** will be made accessible on the Institute's website.
- 4.2. The Student Code of Conduct will be supplied to students during orientation and made available to students in the Student handbook.
- 4.3. All staff are informed about and are expected to understand the ***Student Code of Conduct Policy and Procedure*** and staff are expected to support the Institute in communicating policies and procedures and expectations of appropriate behaviour.
- 4.4. Managers have responsibility to:
 - model appropriate behaviour
 - promote the Institute's policies and procedures
 - provide training or advice to staff or students and develop cross-cultural awareness and sensitivity among professional and academic staff and students;
 - inform staff or students who experience misbehaviour of the appropriate policy and procedures to resolve their concerns;
 - ensure that staff or students who raise an issue are not victimised for doing so and respect their privacy and confidentiality at all times;
 - maintain appropriate records.
- 4.5. Staff will provide a positive learning environment for the benefit of all parties. All staff will be required to use a positive reinforcement and restorative approach.

Breaches of the Code of conduct

- 4.6. Students and staff should seek advice and support when they feel they have been experienced or witnessed concerning behaviour from the Head of Marketing and Student Experience or the Academic Dean.
- 4.7. Any staff member with reasonable grounds to believe that a student has committed misconduct can address the students' conduct so that it does not recur. Matters are required to be reported to the Head of Marketing and Student Experience or the Academic Dean if staff members have reasonable grounds to believe that extra support and interventions are required to address the students' misconduct.
- 4.8. The Institute will provide confidential assistance to students affected by a breach of the Student Code of Conduct asset out in the *Student Support and Services Policy and Procedure*.
- 4.9. Where an allegation of misconduct is made against a student, an investigation of the matter will commence. The Institute will provide support to students during the inquiry process by ensuring:
 - The student is treated fairly, with dignity and with due regard to his or her privacy. Past misbehaviour is not evidence that a student has behaved in the same manner again;
 - The student is to be regarded as innocent of the alleged misbehaviour until he or she has either admitted to it or been found by proper inquiry by the Academic Dean to have so behaved.
- 4.10. Staff should consider any associated Policy and Procedure in the conduct of the investigation and the actions taken as the policies and procedures may set out specific requirements and have external reporting obligations:
 - *Academic Integrity Policy and Procedure*
 - *Academic Progress Policy and Procedure*
 - *Anti-Bullying and Harassment Policy and Procedure*
 - *Anti-Discrimination Policy and Procedure*
 - *Child Safe Policy and Procedure*
 - *Diversity and Equity Policy and Procedure*
 - *Occupational Health and Safety Policy*
 - *Social Media Policy and Procedure (Students)*
 - *Sexual Assault and Sexual Harassment Policy and Procedure*
 - *Use of Information Technology Facilities and Services Policy and Procedure (Students)*
 - *Younger Students Policy and Procedure*
- 4.11. Each case will be dealt with on its own merits and according to its own circumstances with the provision that the first instance of misbehaviour will be penalised more leniently than subsequent instances of misbehaviour.
- 4.12. In ensuring that fairness is exercised throughout the process of implementation of disciplinary action, the staff member investigating the issue should take into consideration the following:
 - the nature of the behaviour;
 - the student's age;

- the circumstances surrounding the inappropriate conduct;
- the interest, health, safety and wellbeing of the student(s);
- the impact on the student's engagement;
- a duty of care to the student(s); and
- the family circumstances of the student(s).

4.13. Penalties implemented will address the cause(s) giving rise to the incidents including:

- an initial verbal warning;
- temporary restrictions to access to specific facilities or services;
- written warning(s);
- a financial penalty in accordance to students acceptance agreement;
- requiring the student to pay for the cost of any damage;
- time limited suspension of enrolment;
- suspension and/or possible expulsion for a period of time from Ozford; or
- a permanent expulsion and a possible referral to the relevant authority or authorities in the event that the conduct constitutes a serious breach of the legislation.

4.14. Suspension is regarded a serious disciplinary action and as such should only be utilised in the event that other disciplinary measures have failed to result in a satisfactory outcome. Expulsion is a severe form of sanction and should be exercised only in the most serious circumstances.

4.15. In some cases where the student's misconduct is severe, the Institute's Executive Management Team has the right to cancel the student's enrolment. Severe misconduct includes but not limited to

- acts dishonestly in relation to admission to the Institute;
- knowingly makes any false or misleading representation about things that concern the student as a student of the Institute or breaches any of Institute rules;
- harasses or intimidates another student, a member of staff, a visitor or to the Institute, or any other person while the student is engaged in study or other activity as an Institute student, because of race, ethnic or national origin, sex, marital status, sexual preference, disability, age, political conviction, religious belief or for any other reason;
- Misuses any facility in a manner which is illegal, or which is or will be detrimental to the rights or property of others. This includes the misuse, in any way, of any computing or communications equipment or capacity to which the student has access at or away from the Institute premises while acting as an Institute student, in a manner which is illegal, or which is or will be detrimental to the rights or property of others;
- steals, destroys or damages a facility or property of the Institute or for which the Institute is responsible

4.16. Students will be notified via phone call and /or written notification in cases of serious discipline actions being taken such as suspension and expulsion. An accurate record is kept with respect to any inappropriate behaviour, disciplinary actions taken and resolutions on the student management system.

4.17. The ***Deferring, Suspending or Cancelling a Student's Enrolment Policy and Procedure*** sets out the process for suspending or cancelling a student enrolment.

- 4.18. Students may appeal to the Institute against the penalties imposed. Students wishing to appeal will be referred to the Institute's *Student Grievances and Appeals Policy and Procedure*.
- 4.19. Any suggested improvement required to enhance the Institute processes or campus safety will be discussed and implemented as appropriate.

Reporting and monitoring of incidents

- 4.20. The Institute keeps all records of all incidents involving students in the student management system and any incidents involving staff in staff files as set out in the *Records Management Policy and Procedure*.
- 4.21. The Institute reports on all student misconduct investigations and complaints to the Academic Board.
- 4.22. The data about any potential or actual incidents or concerns will be collated and an anonymous report will be prepared and presented to the EMT, the Audit and Risk Committee and the Governing Board to monitor the prevalence of misconduct in connection with the Institute.
- 4.23. Any suggested improvement required to enhance the campus safety will be discussed and implemented as appropriate.
- 4.24. Confidentiality and information privacy will be upheld, in accordance with the legislative requirements and the Institute *Privacy Policy and Procedure*.

5. QUALITY ASSURANCE

To ensure that this procedure is fit for purpose and meet the requirements of the HES Threshold Standards the procedure will be:

- 5.1 internally approved by the Executive Management Team on development or review
- 5.2 externally reviewed as part of any independent review of the HES Threshold Standards approved by the Governing Board;
- 5.3 internally reviewed by the Responsible Officer every three years from the date of approval (if not earlier).
- 5.4 referenced to the applicable HES threshold Standard and/or other legislation/regulation.

6 FEEDBACK

Feedback or comments on this procedure is welcomed by the listed Responsible officers of the Institute.

7 ACKNOWLEDGEMENT

This procedure was developed with reference to the following:

- Deakin University, Student Misconduct Procedure, 2021 ([Student Misconduct procedure / Document / Deakin Policy Library](#))
- Federation University, Student Misconduct Procedure, 2023 ([Student Misconduct Procedure \(federation.edu.au\)](#))
- Victoria University, Student Misconduct Procedure, 2019 ([Student Misconduct Procedure / Document / Victoria University Policy Library \(vu.edu.au\)](#))
- University of NSW, Student Misconduct Procedure, 2023 ([Student Misconduct Procedure \(unsw.edu.au\)](#))

8 VERSION CONTROL

Version	Date approved	Description	Approved by
2.0	June 2018	Initial issue	EMT
3.0	June 2023	Internal Review	EMT
3.1	September 2023	Internal review – minor formatting changes and add external referencing	EMT
Related legislation/ regulation/standard	Tertiary Education Quality and Standards Act 2011 Higher Education Standards Framework (Threshold Standards) 2021 Education Services for Overseas Students Act (ESOS) 2000 Education Services for Overseas Students Regulations 2019 The National Code of Practice for Providers of Education and Training to Overseas Students 2018 Standards 5, 6, 8, 9 and 10 Racial Discrimination Act 1975 (Cth) Sex Discrimination Act 1984 (Cth) Disability Discrimination Act 1992 (Cth) Disability Standards for Education 2005 (Cth) Australian Human Rights Commission Act 1986 (Cth) Workplace Gender Equality Act 2012 (Cth) Age Discrimination Act 2004 (Cth) Fair Work Act 2009 (Cth) Victorian Legislation Equal Opportunity Act 2010 Racial and Religious Tolerance Act 2001 (VIC) Spent Convictions Act 2021		

Note: EMT = Executive Management Team