



# SuniTAFE Student Code of Conduct Policy

## 1 Purpose

Students have rights and responsibilities as members of the Institute community. To ensure that all students are treated with respect and fairness and are provided with a supportive and stimulating learning environment to pursue their goals, the Institute has outlined the following student expectations and responsibilities.

## 2 Scope

This policy applies to all enrolled domestic and international students of the Institute and all tenants of the SuniTAFE Student Residences. References to staff apply to all Institute staff.

## 3 Definitions

| Acronym/Term                   | Definition   |
|--------------------------------|--|
| <b>Academic Misconduct</b>     | Misconduct which results in unfair advantage or disadvantage to a student(s) in their training and/or assessment.  |
| <b>Breach</b>                  | Failure to adhere to or comply with this Student Code of Conduct Policy.   |
| <b>Child</b>                   | Anyone aged under 18   |
| <b>Child Safety Officer</b>    | The designated person/s with knowledge of child safety issues. All Student Support Services staff members at individual campuses are Child Safety Officers.  |
| <b>Duty of Care</b>            | A moral or legal obligation to ensure the safety or well-being of others.  |
| <b>Gender Identity</b>         | As outlined in the Sex Discrimination Act 1984, means the gender-related identity, appearance or mannerisms or other gender-related characteristics of a person (whether by way of medical intervention or not), with or without regard to the person's designated sex at birth.       |
| <b>Non-Academic Misconduct</b> | Misconduct that violates policies and procedures not relating to academic performance/conduct but rather student behaviour/conduct (i.e., non-academic behaviours/conduct listed above including, but not limited to, bullying, harassment, sexual harassment, unsafe behaviour etc).  |
| <b>Reasonable Direction</b>    | Instructions given in accordance with common sense, fairness, rational decisions and our duty of care that do not expect more than what is possible or achievable.   |
| <b>Sexual Harassment</b>       | As outlined in Section 92(1) of the Equal Opportunity Act 2010 (EO Act), a person sexually harasses another person if they: <ol style="list-style-type: none"> <li>1. make an unwelcome sexual advance, or an unwelcome request for sexual favours, to the other person, or</li> </ol> |

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|                      |   |
|----------------------|---|
|                      | 2. engage in any other unwelcome conduct of a sexual nature in relation to the other person in circumstances in which a reasonable person, having regard to all the circumstances, would have anticipated that the other person would be offended, humiliated or intimidated. |
| <b>The Institute</b> | Sunraysia Institute of TAFE (SuniTAFE)  |

## 4 Policy

4.1 In accordance with legislation, students must:

- Respect the rights of all students and staff regardless of sexual orientation, gender identity, race, religion, culture, ability or age;
- Adhere to Occupational Health and Safety requirements;
- Follow reasonable directions from any member of Institute staff;
- Report illegal activity of any sort and not engage in criminal behaviour.

4.1.1 In accordance with legislation, staff will:

- Not tolerate offensive behaviour, bullying, harassment, sexual harassment, physical or verbal assault;
- Adhere to the Institute's Staff Code of Conduct and Child Safety Policy;
- Report any unsafe behaviour;
- Exclude anyone under the adverse influence of alcohol and/or drugs; and
- Report criminal activity of any sort to the relevant authorities.

4.1.2 The Institute expects the following conduct of its students:

- Treat other students and Institute staff with respect and fairness;
- Refrain from swearing, drinking and eating in classrooms and other learning areas;
- Behave responsibly by not littering, harassing, sexually harassing fellow students or staff, damaging, stealing, modifying or misusing TAFE or other student's property;
- Behave responsibly by not being under the influence of drugs and alcohol;
- Refrain from using mobile phones or any other electronic devices that may disrupt classes;
- Complete all assessment tasks and examinations honestly within set timeframes, and not engage in plagiarism, collusion or cheating;
- Follow normal safety practices, including wearing appropriate clothing and protective equipment and following both written and verbal directions given by staff;

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- Not behave in a way that would offend, embarrass or threaten others, including in an online environment (i.e., social media).
- Adhere to the Institute's Social Media Guidelines where relevant;
- Comply with all lawful regulations, rules or procedures of the Institute that pertain to them;
- Drive a motor vehicle in a responsible manner in the Institute precinct;
- Make payment of all fees, charges and fines levied by the Institute within the required timeframe; and
- Comply with course attendance requirements and timely notification of any absences from scheduled classes.

### 4.2 Breaches of this policy will be dealt with in accordance with the Student Conduct Breach Procedure and the following will apply;

- 4.2.1 all parties to a grievance should have the opportunity to put their case forward and have it considered;
- 4.2.2 any allegation made against a student of the Institute community should be made known to the individual concerned;
- 4.2.3 all investigations and decisions should be made impartially;
- 4.2.4 confidentiality is to be strictly maintained;
- 4.2.5 a student or friend/advocate of that student who is involved in disciplinary procedures is not to be victimised or discriminated against because of that involvement.

### 4.3 Wherever possible, resolution of behavioural problems will be attempted through discussion and mediation (with the assistance of the Student Support Services Staff, if required).

### 4.4 This policy will be communicated to students via the Institute's website and referenced in Student Orientation materials and Course Information Handbooks.

### 4.5 The Institute has obligations to keep children at the Institute safe, and to report suspected and/or alleged child abuse in accordance with the Institute's Child Safety Policy. This includes incidents, which may or may not have taken place at the Institute, and those that may or may not involve Institute students.

## 5 Legislative Context

- Charter of Human Rights and Responsibilities Act 2006 (VIC)
- Copyright Act 1968 (Cth)
- Child Safe Standards (VIC)

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- Crimes Act 1958 (VIC)
- Crimes Amendment (Protection of Children) Act 2014 (VIC)
- Disability Discrimination Act 1992 (Cth)
- Drugs Poisons and Controlled Substances Act 1981 (VIC)
- Education Services for Overseas Students (ESOS) Act 2000 (Cth)
- Equal Opportunity Act 2010 (Vic)
- Privacy and Data Protection Act 2014 (Vic)
- Occupational Health & Safety (OHS) Act 2004 (Vic)
- Racial Discrimination Act 1975 (Cth)
- Racial and Religious Tolerance Act 2001 (VIC)
- Sex Discrimination Act 1984 (Cth)

## **6 Associated documents**

### **6.1.1 Associated Policies**

- Child Safety Policy
- Complaints and Appeals Policy
- Copyright Policy
- Information Privacy Policy
- International Student Deferral Suspension or Cancellation of Enrolment Policy
- Occupational Health and Safety Policy

### **6.1.2 Associated Procedures**

- Child Safety Procedure
- Complaints & Appeals Procedure – Students & Community
- International Student Support Procedure
- Residence Breach of Guidelines Procedure
- Student Conduct Breach Procedure

### **6.1.3 Associated Forms**

- Critical Incident Report
- Incident Report Form
- Formal Complaint Form

### **6.1.4 Other associated documents**

- Residences Agreement

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- Social Media Guidelines

## **7 Responsibility**

The General Manager Education is responsible for ensuring compliance with this policy, and its associated procedures and systems.

## **8 Review Frequency**

This policy is to be reviewed every three (3) years, and remains in force as amended from time to time, until rescinded.

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