

Student Conduct Policy

1. Context

Bedford College has a student-centred approach to learning and is committed to the academic and personal welfare of students. The College aims to provide a safe, secure and inclusive learning environment that enables students to fulfil their academic potential.

Bedford College embraces diversity and respects students of all backgrounds and cultures. The College supports the principles of fair treatment, respect for all, integrity and procedural fairness and aims to produce graduates who are committed to social justice and human rights.

The College actively discourages behaviours and actions that are inconsistent with a safe, equitable and respectful environment. Breaches of this policy may result in disciplinary action or other appropriate penalties or sanctions.

2. Scope

This policy applies to all students enrolled in all courses at Bedford College. It applies to all premises and wherever Bedford students are participating in learning or representing Bedford College e.g. excursions, field trips, professional placement or when traveling to and from the College either by personal or public transport.

3. Responsibility

Principal and the course (Business or Early Childhood Education) Head Teacher.

4. Definitions

- a. **Discrimination:** is when one person treats, or intends to treat, another person unfavourably because of a personal characteristic
- b. **Harassment:** is the unwelcome and unsolicited behaviour or comments aimed at a person or group that makes that person or group feel offended, humiliated or threatened
- c. **Sexual Harassment:** is unwanted, unwelcome sexual behaviour or comments that makes a person feel offended, humiliated or threatened
- d. **Bullying:** Bullying is repeated verbal, physical, social or psychological behaviour that is harmful and involves the misuse of power by an individual or group towards one or more persons. Bullying can involve humiliation, domination, intimidation, victimisation and all forms of harassment including that based on sex, race, disability, homosexuality or transgender
- e. **Cyberbullying** refers to bullying through information and communication technologies and social media
- f. **Victimisation:** is to punish or threaten to punish someone because they have asserted their rights under equal opportunity law, made a complaint, helped someone else to make a complaint or refused to do something because it would be discrimination, sexual harassment or victimisation
- g. **Vilification:** occurs when a person speaks or writes in an insulting, abusive or defamatory way about or to a person or group. It is commonly associated with the incitement of hatred towards others due to their race, religion or beliefs

BEDFORD COLLEGE HAS A ZERO TOLERANCE POLICY AGAINST BREACHES OF ANY OF THE ABOVE

- h. **Procedural fairness:** is a fair and proper procedure which is appropriate to the circumstances, where decisions are made without bias and are supported by evidence and communicated to all parties appropriately
- i. **Restriction:** a limit on access to premises or facilities and/or services for a defined period of time

- j. Suspension: the cancellation of a student's enrolment and the withdrawal for a specified period of time of the rights and privilege of a student. The student has the right to recommence their studies at the end of the suspension period (this may be dependent of meeting particular conditions as specified at the time of suspension)
- k. Expulsion: the permanent exclusion of a student from Bedford College.

5. Principles

This policy is based on the principle that all members of the Bedford College community gain benefit from:

- a. acting honestly and with integrity and demonstrating mutual respect
- b. the right to learn in an environment where disruptions and interruption of learning is discouraged and addressed
- c. the right to be heard in an environment that is free of bias and unfair treatment
- d. the proper use of and respect for Bedford College facilities and resources
- e. the right to make a complaint without fear of any detrimental affect
- f. prompt resolution of complaints according to the principles of procedural fairness (*also see the Bedford College, Complaints policy*).

SECTION A: Students' rights and responsibilities

6. Student expectations

All students of Bedford College have the right to expect to be treated fairly, to study in a positive and safe learning environment that allows them to reach their full potential, and to have access to clear, consistent and timely information.

6.1 Fairness

Students can expect to:

- a. be treated with courtesy and respect
- b. learn in an environment free of discrimination, intimidation and harassment
- c. have access to fair and transparent complaints and appeals procedures
- d. have their rights respected including their right to privacy
- e. be considered for admission on the basis of fair, consistent and transparent criteria
- f. have opportunities to provide feedback on their experience at Bedford College
- g. have opportunities to participate in the cultural life of the College
- h. have freedom to voice alternative views in rational discussion and debate

6.2 Learning environment

Students can expect to:

- a. learn in an effective learning environment that is free from unnecessary and unauthorised disruption and unruly behaviours and influences by others
- b. have access to a diverse range of high-quality learning experiences
- c. have access to materials, equipment and resources to complete given tasks
- d. have access to counselling, advisory and academic and personal support services
- e. receive guidance, instruction and support from qualified staff
- f. study in a safe, productive and stimulating academic environment

6.3 Timely and accurate information

Students can expect to:

- a. receive complete, clear and accurate information in relation to content, objectives, workload, timetable, costs and assessment of subjects
- b. receive timely and constructive feedback on assessment tasks
- c. have access to a clear statement of acceptable academic conduct by students
- d. have access to a clear statement of acceptable non-academic conduct by students
- e. have access to clearly stated policies and procedures
- f. have reasonable access to records held about them

7. Code of conduct

The purpose of the Code of Conduct is to provide a framework of appropriate behaviour. If a circumstance or situation arises which is not expressly covered by the Code, students must comply with the underlying principles of the Code and this Student Conduct policy.

7.1 Honesty and integrity

Students are expected to:

- a. carry out their studies with honesty and integrity and not engage in academic misconduct (*also see the Bedford College, Cheating and Plagiarism policy*)
- b. inform themselves of, and comply with, Bedford College policies and procedures
- c. comply with all laws of the Commonwealth and relevant State
- d. participate fully in the learning process, attending classes and submitting assessments
- e. read and respond to all official Bedford College communications in a timely manner

7.2 Courtesy and respect

Students are expected to:

- a. treat all members of the Bedford College community with courtesy and respect
- b. refrain from all behaviours that disrupt others in the pursuit of their work or study
- c. adhere to your teachers instructions
- d. refrain from conduct that may be detrimental to the reputation of Bedford College
- e. contribute to the orderly and safe functioning of Bedford College
- f. respect the opinions of others and their right to express religious or political views
- g. refrain from behaviour that could reasonably be considered offensive to others
- h. refrain from using mobile telephones during all classes ensure that they are kept out of sight
- i. be punctual in arriving to all classes
- j. be well-prepared for each class – ensuring that all required equipment is brought to class including textbooks/e-texts, pens, rulers, etc.
- k. demonstrate respect for all neighbouring properties and their tenants
- l. demonstrate sustainable practice in regard to water, paper, waste, electricity, etc. (*see the Bedford College, Environmental Sustainability policy*)
- m. ensure that all waste is placed in the appropriate rubbish bins
- n. ensure that classrooms, kitchen, common rooms, etc. are neat and tidy before leaving
- o. refrain from loitering, smoking, eating, etc. in front of the College building or neighbouring buildings

7.3 Appropriate use of Bedford College resources and facilities

Students are expected to:

- a. demonstrate respect for, and care of, all Bedford College property, facilities, equipment and resources
- b. not wilfully damage or remove property belonging to Bedford College or members of the Bedford College community
- c. use Bedford College resources in a manner that is considerate to others (including fair-use of equipment)
- d. use Bedford College resources for Bedford College purposes only
- e. not attempt to repair, adjust or otherwise interfere with Bedford College computers and/or other electronic equipment (including disconnection of any power source)
- f. limit the consumption of food and drinks to the student kitchen/common room areas
- g. consume liquids (tea, coffee, soup) in kitchen areas only
- h. refrain from bringing food/drinks into any classroom
- i. not participate in any learning activity while under the influence of alcohol or other drugs
- j. not use, possess or supply any prohibited drug, substance or weapon on Bedford College's premises or while participating in learning activities or representing Bedford College in social or cultural activities
- k. not engage in fraudulent or corrupt conduct
- l. safeguard their own wellbeing by observing all workplace health and safety procedures
- m. obey all reasonable instructions by Bedford College staff

7.4 Fair treatment

All members of the Bedford College community are prohibited from engaging in the following behaviours whilst on Bedford College premises or undertaking Bedford College activities, regardless of the location of the activities:

- a. bullying or vilification
- b. harassment (including sexual harassment)
- c. racial vilification or racist behaviour
- d. discrimination on the basis of a personal characteristic such as age, gender, relationship status, pregnancy, sexuality or race
- e. discrimination on the grounds of disability or medical condition
- f. discrimination on the grounds of religion or political opinion
- g. victimisation of any member of the Bedford College community who makes a complaint under the Bedford College, Complaints Policy

For the purposes of this policy, harassment and bullying do not include:

- a. reasonable direction from a staff member
- b. fair application of appropriate teaching, including guidance and assessment feedback
- c. implementation, with procedural fairness, of academic or non-academic misconduct procedures

Section B: Managing complaints of misconduct

Serious complaints of misconduct by students will be dealt with under the Bedford College, Complaints policy.

8. Misconduct - Definitions

Academic and non-academic misconduct occurs when Bedford College standards and codes of conduct are breached.

8.1 Academic misconduct

Academic misconduct occurs when a student fail to comply with the principles relating to academic integrity in this policy, and intentionally seek an advantage for themselves or another student by cheating in any form. Such breaches are dealt with under the *Bedford College, Cheating and Plagiarism policy*.

8.2 Non-academic misconduct

Non-academic misconduct occurs when students breach other provisions of this policy, and fail to act in a manner that upholds the standards of the Bedford College community. Examples include, but are not limited to:

- a. breaching any Bedford College policy
- b. misuse of information or communication technologies
- c. misuse of, or damage to, any Bedford College property, facilities equipment or resources
- d. inappropriate, concerning or threatening behaviour
- e. carrying an offensive weapon
- f. bringing or consuming prohibited drugs on Bedford College premises
- g. bringing or consuming alcohol on Bedford College premises
- h. damaging, misusing, stealing or using Bedford College property without proper authority
- i. hindering the use by others of Bedford College facilities
- j. entering Bedford College premises or out-of-bounds areas without permission
- k. causing a member of Bedford College community to hold reasonable fear for their safety or physical or psychological wellbeing
- l. failing to observe workplace health and safety procedures
- m. failing to comply with a reasonable direction from an authorised person or staff member
- n. obstructing a staff member from performance of his or her duties
- o. failing to adhere to the requirements of external organisations while on work placement
- p. engaging in fraudulent and corrupt conduct such as making false and misleading statements or providing false or unauthorised documentation
- q. engaging in conduct that is likely to damage the reputation of Bedford College or prejudice the good management and governance of Bedford College
- r. making frivolous and unreasonable complaints under this policy

9 Allegations of misconduct

Any student, employee or other member of the Bedford College community who wishes to report an allegation of misconduct against a student may do so in writing by use of *the Bedford College, Complaints policy*.

Written allegations from external people or organisations will also be considered. When the allegations relate to the conduct of a student while participating in activities associated with their study, including activities outside Bedford College and professional placements.

The Head Teacher may initiate action against a student without a report from a third party, or, if deemed sufficiently serious, refer an allegation in directly to the Principal for determination.

10. **First offence and/ or minor breaches**

Where the Head Teacher considers that the nature of the allegation is such that, if proven, it can be appropriately dealt with without imposing a penalty for significant misconduct as described in this policy, they may determine that the allegation should be investigated and dealt with under a local review and resolution process.

Any student facing allegations of misconduct will be provided with the specific information about the allegations/complaints (although not necessarily be shown a complaint verbatim) and be provided with an opportunity to respond and/or provide evidence on the matter under the *Bedford College, Complaints policy*.

After conducting an investigation, the Head Teacher may make one of the following determinations:

- a. that no further action is required
- b. that the student is directed to cease the actions which are subject to the allegation
- c. that the student is directed to provide a formal apology to the aggrieved party
- d. that the student provides an undertaking in writing not to repeat the misconduct, or
- e. that the student be given a written warning

The student will be advised in writing of the determination and the reasons for reaching the determination.

The Head Teacher may refer an allegation to the Principal at any time during the investigation if it becomes clear that the allegation is too serious or complex to be dealt with at the local level.

11. **Repeated offence and/or significant breaches**

Any student facing allegations of misconduct will be provided with the specific information about the allegations (although not necessarily be shown a complaint verbatim) and be provided with an opportunity to respond and/or provide evidence on the matter.

11.1 After investigation, the Head Teacher will liaise with the Principal, Bedford College and may make one of the following determinations:

- a. that no further action is required
- b. that the student is directed to cease actions which are subject to the allegation
- c. that the student is directed to provide a formal apology to the aggrieved party
- d. that the student provides an undertaking in writing not to repeat the misconduct
- e. that the student be given a written warning
- f. that the student pay restitution to the value of repair/replacement costs for property damaged or stolen
- g. cancellation of a prize, scholarship or bursary awarded by Bedford College
- h. that the student's grade or outcome be adjusted to a fail or Not Yet Competent (where the misconduct involved a form of academic misconduct relating to the subject i.e. cheating or plagiarism)

Note: this may result in non-conferral of an academic award or the revocation of a conferred award

- i. that the student be restricted
 - from all, or a specified portion of, Bedford College premises for a defined period, and/or
 - from use of any Bedford College facility or service for a defined period
- j. that the student's enrolment be suspended for a defined period

Note: the student has the right to recommence their studies at the end of the suspension, but this may be dependent on meeting conditions specified at the time of suspension

- k. That the student be expelled from Bedford College

Note: this is a permanent exclusion with no right to be re-admitted to any Bedford College course

In determining the penalties the Head Teacher will take into account:

- a. the nature and seriousness of the misconduct
- b. the student's previous record of misconduct and the penalties imposed
- c. whether there are any mitigating circumstances
- d. whether the student admits the misconduct and has expressed remorse
- e. the potential impact on the student, including their capacity to complete their course
- f. the potential impact on any other students or staff members involved

The student will be advised in writing of:

- a. the determination and the reasons for reaching the determination, and
- b. for international students, that Bedford College will also notify the Secretary of the Department (via PRISMS) of the suspension or exclusion, and that the notification may affect their student visa.

The availability of internal misconduct resolution processes does not preclude Bedford College from referring a student to external authorities (*also see the Bedford College, Complaints policy*)

11.2 Urgent suspension or restriction, pending investigation

The Principal and the Head Teacher have the power to temporarily suspend or restrict a student from all or part of Bedford College or from access to its facilities in urgent circumstances. This includes where there is a threat to the safety of persons or property and if a student is disrupting the use of facilities or participation in activities.

12. **Records of misconduct**

A full record will be kept of all stages of misconduct proceedings including all actions, evidence, correspondence, meetings and minutes. These records will be stored on a confidential file. When misconduct is determined to have taken place, a summary of the investigation and determination will be recorded on the student's file.

All incidence of misconduct are recoded in the online Learner Management System (LMS).

13. **Appeal**

Under the *Bedford College, Complaints policy* a student may lodge an appeal with the Principal against a determination made under this policy within 20 working days of the date of notification of the determination. Appeals can be made on the grounds that:

- a. there was a lack of procedural fairness in the investigation
- b. the determination was manifestly unreasonable or cannot be supported by evidence
- c. there is new evidence not available at the time of the original investigation

The outcome of such an appeal will be final but does not preclude the complainant's right to access an external complaints process (*see the Bedford College, Complaints policy*)

14. **Associated Bedford College Policies**

- Access and Equity policy
- Code of Practice
- Cheating and Plagiarism policy
- Environmental Sustainability policy
- Complaints policy
- Non-smoking policy
- Privacy policy
- Social Media policy
- Work Health and Safety policy