



## Student Misconduct Policy

<b>Document ID</b>	<b>Student Misconduct Policy</b>
<b>Category</b>	Governance
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<b>Approved by</b>	Board of Directors
<b>Authorised by</b>	Board of Directors

### 1. Purpose

This policy establishes OneGlobe Institute of Higher Education’s (OneGlobe) framework for managing student misconduct in a consistent, fair, and transparent manner. It sets out expectations of student behaviour, defines types of misconduct, and details processes for investigation, decision-making, and appeal. The policy ensures compliance with the HESF, ESOS Act, and the National Code, while supporting OneGlobe’s student-centred approach to education.

### 2. Scope

This policy applies to:

- All enrolled students of OneGlobe (domestic, international, and online).
- All forms of non-academic misconduct.

#### Note:

- Academic misconduct is managed under the *Student Academic Integrity Policy*.
- Allegations of sexual harassment or assault are managed under the *Sexual Harassment Policy*; any penalties arising are determined under this policy.

### 3. Principles

- Respectful, collegial, and ethical conduct is essential to student success and OneGlobe’s academic environment.
- All students must comply with the Student Code of Conduct and Institute policies.
- Allegations of misconduct will be managed confidentially, impartially, and without bias.
- Decisions will be based on evidence, proportionality, and fairness, consistent with natural justice.



- Outcomes will be applied consistently while considering mitigating or aggravating factors.
- Students will be informed of allegations, given an opportunity to respond, and may appeal decisions.

#### **4. General and Major Misconduct**

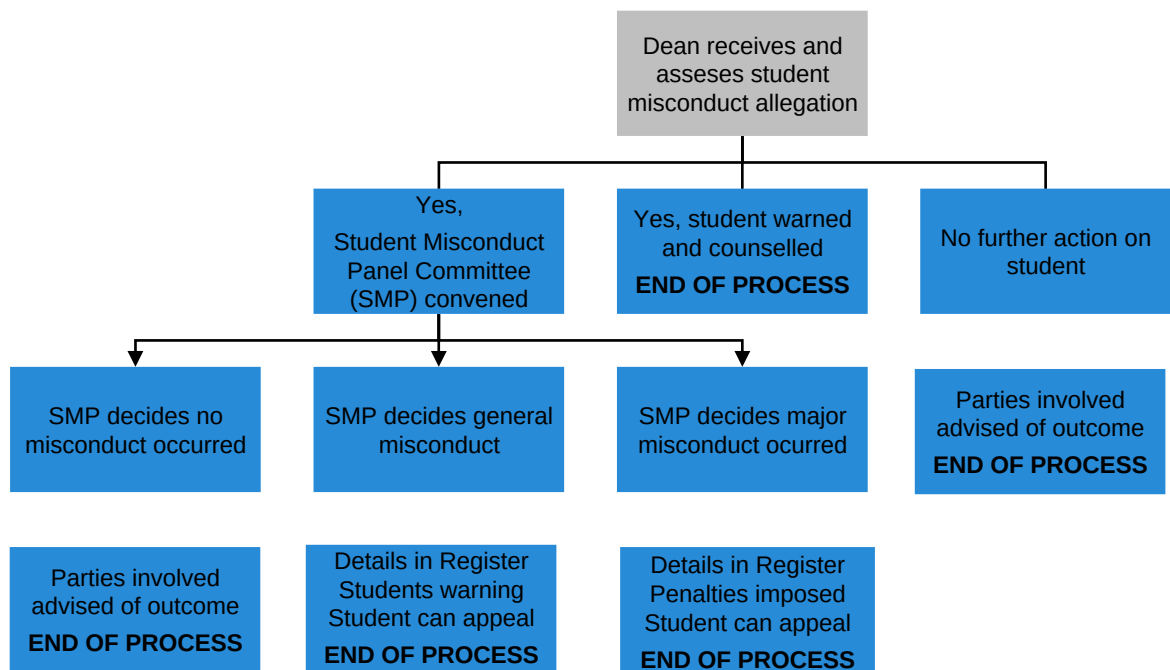
1. Student misconduct refers to any breach of the Student Code of Conduct by students at the Institute. Student misconduct may be found to be either general; or major.
2. Examples of General Misconduct could include but are not limited to:
  - a. behaviour which brings the Institute into disrepute;
  - b. behaviour which is considered unduly offensive or disorderly;
  - c. failure to comply with a reasonable requirement or direction prescribed or given by a member of # the Institute staff in performance of his or her duties or responsibilities;
  - d. obstructing or interfering with the use of any Institute premises, facilities or equipment;
  - e. gaining access to, or entering, a computer system or part of a computer system of the Institute without lawful authority to do so, or engaging in illegal or inappropriate or offensive use of the internet, social media, email or the Institute's network;
  - f. behaviour which interferes with the orderly conduct of any teaching group, assessment, examination or ceremony of the Institute, its governing bodies or other Institute activity, function or program;
  - g. engaging in conduct which involves unauthorised or unjustified interference with the property of any person; and
  - h. engaging in conduct which attacks, bullies, harasses, unlawfully vilifies, victimises, threatens or intimidates any person or attempts to attack, bully, harass, unlawfully vilify, victimise, threaten or intimidate any person.
3. Examples of Major Misconduct are a serious breach of the Student Code of Conduct or repeated general acts of misconduct and could include, but is not limited to:
  - a. the use physical violence against any person;
  - b. wilfully damaging or stealing Institute property;
  - c. engaging in criminal behaviour or behaviour that causes serious distress to members of the Institute community;
  - d. committing any act or making any omission which has the capacity to endanger the safety or health of others where there is a serious risk of bodily harm;

- e. any type of fraud, including fraudulent representation of grades or awards for prior learning, including through the unauthorised use of the Institute name, seal or trademarks;
- f. tampering with and/or making a fraudulent representation involving any medical certificate;
- g. any other type of fraudulent documentation provided to the Institute in order to favour the student;
- h. bringing a weapon on to the campus, placement premises or site of any educational activity; and
- i. any act or omission which leads to a conviction for a breach of State or Federal legislation in association with a member of the Institute community or that occurs on Institute property.

## 5. Procedure

4. An overview of the Institute’s process for handling student misconduct is provided below in Figure 1.

*Figure 1 | Student Misconduct Procedure Diagram*



### **Reporting and investigation**

5. Where a student's conduct poses an immediate threat to themselves or any member of the community or the Institute the student should be reported directly to Institute security. Criminal conduct will be referred to the police and law enforcement.
6. In other circumstances, if a student or a staff member observes what they believe is misconduct by a student, it is reported in writing to the Dean using the Incident Reporting Form.
7. Students who are alleged to have breached the Student Code of Conduct are to be informed in writing by the Dean of the nature of the allegations and possible penalties that will apply if misconduct is confirmed.
8. Dean will review submissions of alleged misconduct and provide an opportunity for the student to respond within ten (10) working days as part of the process of establishing misconduct. Students who wish to dispute the alleged misconduct will normally meet with the Dean to review available evidence within this timeframe.
9. In cases where a student has no prior record of warning or misconduct, the Dean may consider the following when making a determination:
  - a. the extent to which the misconduct deviated from expected behaviour;
  - b. the extent to which the Institute's students, staff, assets and reputation or third parties have been adversely impacted by the misconduct; or
  - c. any contributing, mitigating or aggravating factor.
10. Based on the evidence available, the Dean may:
  - a. modify or dismiss the charge;
  - b. counsel the student and issue a verbal warning;
  - c. require a written apology;
  - d. require the student to undergo training in relevant areas including Institute policies;
  - e. file a countersigned copy of the Incident Report Form on the student's file; and
  - f. recommend that the matter be further considered by a Student Misconduct Panel (SMP).

### **Student Misconduct Panel**

11. Where a decision is made to recommend the matter to an SMP, the Dean will advise the student of:
  - a. the time, date and arrangements for a hearing which must allow for at least five working days' notice;
  - b. the allegation and any material relied upon in the decision to proceed to a hearing of an SMP; and
  - c. their right to attend the hearing to present information and to have a support person present.
12. Membership of the SMP will consist of:

- a. the Dean as Chair;
- b. a senior member of the professional staff; and
- c. the Course Coordinator.

### **Outcomes, responses and penalties**

13. As a result of the Hearing the SMP may:
  - a. dismiss the allegation; and
  - b. reach a finding of General or Major Misconduct and impose one or more penalties.

### **General Misconduct**

14. Where it is determined that General Misconduct has occurred one of the following penalties may be imposed:
  - a. issuance of a warning letter;
  - b. referral for counselling;
  - c. filing of a countersigned copy of the Incident Report Form in the student's file;
  - d. written apology;
  - e. a requirement for the student to undergo training in relevant areas including Institute policies;
  - f. exclusion of the student from a defined part of the campus or from Institute activities for a defined period; and
  - g. any combination of the above.
15. Students will also be advised that this first offence has been entered on the Student Misconduct Register (**SMR**) and that any further breaches will be automatically deemed as Major Misconduct with associated penalties.

### **Major Misconduct**

16. Where it is determined that a case of major misconduct has occurred one of the following penalties may be imposed:
  - a. any of the penalties applicable to minor misconduct; and
  - b. suspension or cancellation of the student's enrolment.

### **Notification**

17. Within ten (10) days of any hearing the Dean will advise the student in writing of:
  - a. the outcome of the Hearing and penalties applied;
  - b. the reasons for the decision; and
  - c. the student's right to appeal the decision up to 20 working days from the notification of outcome under the Student Appeals Policy and Procedure.
18. Where the student is an international student and the Institute intends to initiate a suspension or cancellation of their enrolment, the advice must include information advising that the suspension or cancellation may impact their student visa.

19. Where the finding is in favour of the student the matter will be deemed closed.

### **Readmission**

20. Where a student may have received a penalty of exclusion or suspension for greater than a term of study, in order to be considered for re-enrolment, the student must first submit an application for re-admission for the next term of study. The outcome in these circumstances will be determined by the Teaching and Learning Committee.

### **Records**

21. The SMR records all findings of any misconduct under this Policy and these records will form part of the Institute's disciplinary records and students' files. Where the Dean or the SMP is satisfied that the allegation is unfounded no records will be kept.
22. When misconduct is found to have occurred, the following documentation will be maintained on the student's file (as applicable):
  - a. the allegation notice sent to the student;
  - b. the student's response;
  - c. the notice of decision made by the Dean and/or the SMP;
  - d. any student appeal;
  - e. any decision on the appeal made by the internal appeals body; and
  - f. any outcome of the external appeal process.

### **Appeals**

23. A student may appeal against a decision made under this Policy under the provisions of the *Student Appeals Policy and Procedure*.

### **Monitoring and improvement**

24. The Institute collects deidentified data through the SMR on student misconduct, including by student cohorts. Student feedback is sought on their experience of student conduct and processes relating to the prevention of, and response to, misconduct.
25. The Institute uses the collected data to monitor trends in student misconduct.
26. The Senior Management Team monitors student misconduct matters on a monthly basis.
27. The Board of Directors receives a quarterly report on student misconduct, including allegations, institutional response, and trends.
28. The Institute will improve its strategies for the prevention of, and response to, student misconduct based on the collected data, in particular the effectiveness of responses to breaches of the Student Code of Conduct.
29. The Institute will benchmark its performance against relevant sector data and will establish targets as appropriate.

30. Dean is responsible for making recommendation for improvement, including the need for targeted communication and educational campaigns.
31. The Board of Directors receives an annual report on the adequacy and effectiveness of strategies for responding to student misconduct and approves recommendations for improvement as appropriate.

## 6. Responsibilities

32. All students and staff are responsible for familiarising themselves with the requirements of the Student Code of Conduct and this Policy.
33. Dean is responsible for:
  - a. initial assessment of allegations of misconduct;
  - b. investigating and determining allegations that do not require referral;
  - c. referring allegations to a Student Misconduct Panel where appropriate;
  - d. convening a Student Misconduct Panel and advising students of the outcome;
  - e. reporting to the Board of Directors on a quarterly and annual basis on student misconduct cases; and
  - f. making recommendations for improvement in Institute processes.

## 7. Definitions

34. There are no specific definitions for this Policy.

## 8. Student Misconduct Penalties Matrix Guidelines

**Type and level of misconduct:** Multiple or repeated incidents of misconduct may be viewed more seriously than a single offence and previous findings may be considered in the determination of an appropriate penalty.

**Behaviours:** The same types of behaviour that are considered breaches of the Code and associated policies may be treated differently depending on the seriousness of the offence.

**Penalties:** The range of available penalties is a guide only. Student Misconduct Panels may suggest other similar measures that are appropriate to the circumstances revealed by their investigations.

Type and level of misconduct	Example behaviours	Range of available penalties
<b>Determined by Dean</b>		
No prior history and not deemed to be Major Misconduct	● any behaviour that breaches the Code and/or Institute policies	● counselling and a verbal warning

Type and level of misconduct	Example behaviours	Range of available penalties
	<p>that is not considered serious enough to convene a Student Misconduct Panel (eg smoking on campus)</p>	<ul style="list-style-type: none"> <li>● Incident Report Form in the student's file</li> <li>● a written apology</li> <li>● training in relevant areas including Institute policies</li> </ul>
<b>Matters determined by a Student Misconduct Panel</b>		
<p>No prior history and a finding of General Misconduct</p>	<ul style="list-style-type: none"> <li>● behaviour which brings the Institute into disrepute</li> <li>● unduly offensive or disorderly behaviour</li> <li>● failure to comply with a reasonable direction by a member of the Institute staff</li> <li>● obstructing or interfering with the use of any Institute premises, facilities or equipment</li> <li>● unauthorised entry or tampering with Institute IT facilities</li> <li>● engaging in illegal or inappropriate or offensive use of the internet, social media, email or the Institute's network</li> <li>● disruption to teaching, assessment, examination or ceremony of the Institute, its governing bodies or other Institute activity, function or program</li> <li>● unauthorised or unjustified interference with the property</li> </ul>	<ul style="list-style-type: none"> <li>● issuance of a warning letter</li> <li>● referral for counselling</li> <li>● Incident Report Form in the student's file</li> <li>● entry on the Student Misconduct Register</li> <li>● a written apology</li> <li>● training in relevant areas including Institute policies</li> <li>● exclusion of the student from a defined part of the campus or from Institute activities for a defined period</li> <li>● any combination of the above</li> </ul>

Type and level of misconduct	Example behaviours	Range of available penalties
	<p>of any person</p> <ul style="list-style-type: none"> <li>● engaging, or attempting to engage in, conduct which attacks, bullies, harasses, unlawfully vilifies, victimises, threatens or intimidates any person</li> </ul>	
<p>Prior history and/or a finding of Major Misconduct</p>	<ul style="list-style-type: none"> <li>● the use of physical violence against any person</li> <li>● wilfully damaging or stealing Institute property</li> <li>● engaging in criminal behaviour or behaviour that causes serious distress to members of the Institute community</li> <li>● committing any act or making any omission which has the capacity to endanger the safety or health of others where there is a serious risk of bodily harm</li> <li>● any type of fraud, including fraudulent representation of grades or awards for prior learning, including through the unauthorised use of the Institute name, seal or trademarks</li> <li>● tampering with and/or making a fraudulent representation involving any medical certificate</li> <li>● any other type of fraudulent documentation provided to the Institute in order to favour the student</li> </ul>	<ul style="list-style-type: none"> <li>● any of the penalties applicable to minor misconduct;</li> <li>● suspension or cancellation of the student's enrolment.</li> </ul>

Type and level of misconduct	Example behaviours	Range of available penalties
	<ul style="list-style-type: none"> <li>● bringing a weapon on to the campus, placement premises or site of any educational activity</li> <li>● any act or omission which leads to a conviction for a breach of State or Federal legislation in association with a member of the Institute community or that occurs on Institute property</li> </ul>	

## 9. Review

This Policy and Procedure will be reviewed by the **Board of Directors** every **three (3) years** from the date of approval, or earlier if required by changes in legislation, TEQSA requirements, or institutional priorities.

## 10. Related Documents

- Academic Integrity Policy and Procedure
- Student Code of Conduct
- Student Appeals Policy and Procedure
- Equity and Diversity Policy and Procedure
- Sexual Harassment Policy and Procedure
- Records Management Policy and Procedure
- Quality Assurance Framework

## 11. Related Legislation

- Tertiary Education Quality and Standards Agency Act 2011 (Cth)
- Higher Education Standards Framework (Threshold Standards) 2021 (Cth)
- Education Services for Overseas Students (ESOS) Act 2000 (Cth)
- National Code of Practice for Providers of Education and Training to Overseas Students 2018 (National Code 2018)
- Australian Consumer Law (Competition and Consumer Act 2010, Schedule 2)



- Privacy Act 1988 (Cth)
- Fair Work Act 2009 (Cth) (where relevant to student employment on placements)
- Relevant State/Territory Work Health and Safety legislation

## 12. Version control

Version	Summary of changes	Approval date	Review Date
1.0	Document Established	BOD: May 2025	Jul 2028